# TOPICALITY

### The Resolution

Resolved: The United States federal government should substantially increase its economic and/or diplomatic engagement with the People’s Republic of China.

# \*\*\* ENGAGEMENT

## Categories

### T---Econ/Diplo---1NC

#### “Economic” and “diplomatic” engagement are highly limited and refer only to use as means of engagement

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

Scholars have limited the concept of engagement in a third way by unnecessarily restricting the scope of the policy. In their evaluation of post-Cold War US engagement of China, Paul Papayoanou and Scott Kastner define engagement as the attempt to integrate a target country into the international order through promoting "increased trade and financial transactions."(n21) However, limiting engagement policy to the increasing of economic interdependence leaves out many other issue areas that were an integral part of the Clinton administration's China policy, including those in the diplomatic, military and cultural arenas. Similarly, the US engagement of North Korea, as epitomized by the 1994 Agreed Framework pact, promises eventual normalization of economic relations and the gradual normalization of diplomatic relations.(n22) Equating engagement with economic contacts alone risks neglecting the importance and potential effectiveness of contacts in noneconomic issue areas.

Finally, some scholars risk gleaning only a partial and distorted insight into engagement by restrictively evaluating its effectiveness in achieving only some of its professed objectives. Papayoanou and Kastner deny that they seek merely to examine the "security implications" of the US engagement of China, though in a footnote, they admit that "[m]uch of the debate [over US policy toward the PRC] centers around the effects of engagement versus containment on human rights in China."(n23) This approach violates a cardinal tenet of statecraft analysis: the need to acknowledge multiple objectives in virtually all attempts to exercise inter-state influence.(n24) Absent a comprehensive survey of the multiplicity of goals involved in any such attempt, it would be naive to accept any verdict rendered concerning its overall merits.

A REFINED DEFINITION OF ENGAGEMENT

In order to establish a more effective framework for dealing with unsavory regimes, I propose that we define engagement as the attempt to influence the political behavior of a target state through the comprehensive establishment and enhancement of contacts with that state across multiple issue-areas (i.e. diplomatic, military, economic, cultural). The following is a brief list of the specific forms that such contacts might include:

DIPLOMATIC CONTACTS

Extension of diplomatic recognition; normalization of diplomatic relations

Promotion of target-state membership in international institutions and regimes

Summit meetings and other visits by the head of state and other senior government officials of sender state to target state and vice-versa

MILITARY CONTACTS

Visits of senior military officials of the sender state to the target state and vice-versa

Arms transfers

Military aid and cooperation

Military exchange and training programs

Confidence and security-building measures

Intelligence sharing

ECONOMIC CONTACTS

Trade agreements and promotion

Foreign economic and humanitarian aid in the form of loans and/or grants

CULTURAL CONTACTS

Cultural treaties

Inauguration of travel and tourism links

Sport, artistic and academic exchanges (n25)

Engagement is an iterated process in which the sender and target state develop a relationship of increasing interdependence, culminating in the endpoint of "normalized relations" characterized by a high level of interactions across multiple domains. Engagement is a quintessential exchange relationship: the target state wants the prestige and material resources that would accrue to it from increased contacts with the sender state, while the sender state seeks to modify the domestic and/or foreign policy behavior of the target state. This deductive logic could adopt a number of different forms or strategies when deployed in practice.(n26) For instance, individual contacts can be established by the sender state at either a low or a high level of conditionality.(n27) Additionally, the sender state can achieve its objectives using engagement through any one of the following causal processes: by directly modifying the behavior of the target regime; by manipulating or reinforcing the target states' domestic balance of political power between competing factions that advocate divergent policies; or by shifting preferences at the grassroots level in the hope that this will precipitate political change from below within the target state.

This definition implies that three necessary conditions must hold for engagement to constitute an effective foreign policy instrument. First, the overall magnitude of contacts between the sender and target states must initially be low. If two states are already bound by dense contacts in multiple domains (i.e., are already in a highly interdependent relationship), engagement loses its impact as an effective policy tool. Hence, one could not reasonably invoke the possibility of the US engaging Canada or Japan in order to effect a change in either country's political behavior. Second, the material or prestige needs of the target state must be significant, as engagement derives its power from the promise that it can fulfill those needs. The greater the needs of the target state, the more amenable to engagement it is likely to be. For example, North Korea's receptivity to engagement by the US dramatically increased in the wake of the demise of its chief patron, the Soviet Union, and the near-total collapse of its national economy.(n28)

Third, the target state must perceive the engager and the international order it represents as a potential source of the material or prestige resources it desires. This means that autarkic, revolutionary and unlimited regimes which eschew the norms and institutions of the prevailing order, such as Stalin's Soviet Union or Hitler's Germany, will not be seduced by the potential benefits of engagement.

This reformulated conceptualization avoids the pitfalls of prevailing scholarly conceptions of engagement. It considers the policy as a set of means rather than ends, does not delimit the types of states that can either engage or be engaged, explicitly encompasses contacts in multiple issue-areas, allows for the existence of multiple objectives in any given instance of engagement and, as will be shown below, permits the elucidation of multiple types of positive sanctions.

#### Allowing military or cultural engagement explodes the topic and dilutes effective policy analysis

Haass 00 – Richard Haass & Meghan O’Sullivan, Senior Fellows in the Brookings Institution Foreign Policy Studies Program, Honey and Vinegar: Incentives, Sanctions, and Foreign Policy, p. 5-6

Architects of engagement strategies have a wide variety of incentives from which to choose. Economic engagement might offer tangible incentives such as export credits, investment insurance or promotion, access to technology, loans, and economic aid.’2 Other equally useful economic incentives involve the removal of penalties, whether they be trade embargoes, investment bans, or high tariffs that have impeded economic relations between the United States and the target country. In addition, facilitated entry into the global economic arena and the institutions that govern it rank among the most potent incentives in today’s global market.’

Similarly, political engagement can involve the lure of diplomatic recognition, access to regional or international institutions, or the scheduling of summits between leaders—or the termination of these benefits. Military engagement could involve the extension of International Military Educational Training (IMET) both to strengthen respect for civilian authority and human rights among a country’s armed forces and, more feasibly, to establish relationships between Americans and young foreign mffitary officers.’4 These areas of engagement are likely to involve, working with state institutions, while cultural or civil society engagement is likely to entail building people-to-people contacts. Funding nongovernmental organizations, facilitating the flow of remittances, establishing postal and telephone links between the United States and the target country, and promoting the exchange of students, tourists, and other nongovernmental people between the countries are some of the incentives that might be offered under a policy of cultural engagement.

This brief overview of the various forms of engagement illuminates the choices open to policymakers. The plethora of options signals the flexibility of engagement as a foreign policy strategy and, in doing so, reveals one of the real strengths of engagement. At the same time, it also suggests the urgent need for considered analysis of this strategy. The purpose of this book is to address this need by deriving insights and lessons from past episodes of engagement and proposing guidelines for the future use of engagement strategies. Throughout the book, two critical questions are entertained. First, when should policymakers consider engagement? A strategy of engagement may serve certain foreign policy objectives better than others. Specific characteristics of a target country may make it more receptive to a strategy of engagement and the incentives offered under it; in other cases, a country's domestic politics may effectively exclude the use of engagement strategies. Second, how should engagement strategies be managed to maximize the chances of success? Shedding light on how policymakers achieved, or failed, in these efforts in the past is critical in an evaluation of engagement strategies. By focusing our analysis, these questions and concerns help produce a framework to guide the use of engagement strategies in the upcoming decades.

### T---Econ/Diplo---Economic---2NC

#### “Economic engagement” is limited to expanding economic ties

Çelik 11 – Arda Can Çelik, Master’s Degree in Politics and International Studies from Uppsala University, Economic Sanctions and Engagement Policies, p. 11

Introduction

Economic engagement policies are strategic integration behaviour which involves with the target state. Engagement policies differ from other tools in Economic Diplomacy. They target to deepen the economic relations to create economic intersection, interconnectness, and mutual dependence and finally seeks economic interdependence. This interdependence serves the sender stale to change the political behaviour of target stale. However they cannot be counted as carrots or inducement tools, they focus on long term strategic goals and they are not restricted with short term policy changes.(Kahler&Kastner,2006) They can be unconditional and focus on creating greater economic benefits for both parties. Economic engagement targets to seek deeper economic linkages via promoting institutionalized mutual trade thus mentioned interdependence creates two major concepts. Firstly it builds strong trade partnership to avoid possible militarized and non militarized conflicts. Secondly it gives a leeway lo perceive the international political atmosphere from the same and harmonized perspective. Kahler and Kastner define the engagement policies as follows "*It is a policy of deliberate expanding economic ties with and adversary in order to change the behaviour of target state and improve bilateral relations* ".(p523-abstact). It is an intentional economic strategy that expects bigger benefits such as long term economic gains and more importantly; political gains. The main idea behind the engagement motivation is stated by Rosecrance (1977) in a way that " *the direct and positive linkage of interests of stales where a change in the position of one state affects the position of others in the same direction*.

#### “Economic” engagement is narrowly limited to trade --- engagement over human rights, democracy, prolif, or drugs isn’t topical

Rose 8 – Andrew K. Rose, Haas School of Business at the University of California, Berkeley, and Mark M. Spiegel, Federal Reserve Bank of San Francisco, “Non-Economic Engagement and International Exchange: The Case of Environmental Treaties”, http://halleinstitute.emory.edu/pdfs/PIEF\_Rose\_Spiegel.pdf

1. Introduction

Countries, like people, interact with each other on a number of different dimensions. Some interactions are strictly economic; for instance, countries engage in international trade of goods, services, capital, and labor. But many are not economic, at least not in any narrow sense. For instance, the United States seeks to promote human rights and democracy, deter nuclear proliferation, stop the spread of narcotics, and so forth. Accordingly America, like other countries, participates in a number of international institutions to further its foreign policy objectives; it has joined security alliances like NATO, and international organizations such as the International Atomic Energy Agency. In this paper, we concentrate on the interesting and understudied case of international environmental arrangements (IEAs). We ask whether participation in such non-economic partnerships tends to enhance international economic relations. The answer, in both theory and practice, is positive.

#### Exports, imports, and finance are “economic” activity. Travel, military, diplomatic, and cultural engagement aren’t.

Gallagher 1 – Katherine Gallagher, Senior Staff Attorney at the Center for Constitutional Rights, “Sanctions' Effects on Human Rights Violations”, The Monitor: Journal of International Studies, 8(1), Fall, http://web.wm.edu/so/monitor/issues/08-1/1-gallagher.htm

Types of Sanctions

Working positively or negatively, sanctions provide inducements or threats to the offenders to encourage compliance. Sanctions are imposed on either a multilateral or unilateral basis; multilateral sanctions are considered more legitimate and more effective by the international community. However, one possible drawback to the involvement of additional countries is the necessity of more complex decision-making methods.[8] In the U.N. Economic and Social Council report evaluating the consequences of sanctions on human rights violations, analyst Marc Bossuyt identifies five types of sanctions: economic, travel, military, diplomatic, and cultural.[9]

Economic: Increased worldwide economic interdependence has greatly expanded the popularity of economic sanctions. As the most frequently used type of sanction, these sanctions are employed in both of case studies examined in this report. Economic sanctions are divided into three categories: limiting exports to a country, limiting the imports from that country, and imposing financial sanctions. Financial sanctions entail:

[The] blocking of government assets held abroad, limiting access to financial markets and restricting loans and credits, restricting international transfer payments and restricting the sale and trade of property abroad, [as well as]…freezing development aid.[10]

The first of these three options is the easiest to implement because exports are more easily controlled, while the source of imports can be difficult to identify.[11] Generally, financial sanctions are more effective than export controls because the sanctioned nation can purchase the exports from another country. However, import controls have the greatest impact on a nation’s economy, severely limiting financial growth.[12]

Travel: Travel sanctions limit the travel capabilities of particular individuals as well as their mode of transportation, reducing air travel significantly.[13] These sanctions are also imposed on both countries examined. Such narrowly applied sanctions more effectively punish the government officials and military leaders responsible for the human rights violations, limiting their ability to conduct overseas business and political dealings.

Military: These sanctions specifically target the non-compliant government by imposing "arms embargoes or…terminating military assistance or training."[14] The most prevalent issue of debate connected to the use of military sanctions is the impairment of the sanctioned country's self-defense capability.[15] South Africa and Iraq have both subjected to these sanctions.

Diplomatic: Diplomatic sanctions focus specifically on "rulers of a sanctioned State: diplomats and political leaders may have their visas revoked and may be forbidden to participate in international bodies and organizations."[16] International actions taken against South Africa, such as Pretoria's exclusion from the U.N. General Assembly and specialized U.N. agencies between 1961 and 1994, exemplify this genre of sanction.[17] The effectiveness of diplomatic sanctions, which use shame and consertation to influence the actions of state leaders, increases when these leaders wish to retain international standing for economic and nationalistic purposes.

Cultural: Similar to diplomatic sanctions, cultural sanctions aim to disgrace a nation. The mildest manner of sanctioning, cultural sanctions involve banning "athletes…folk dancers, musicians, and other artists…[as well as] restrictions…on educational and tourist travel."[18] The ban on South African athletes from Olympic competition from 1970 to 1991 exemplifies a cultural sanction.[19]

#### “Economic” engagement is distinct from diplomatic, military, or social policy

Lee 12 – Jeongseok Lee, Instructor in the Department of Military & Strategic Studies at the Republic of Korea Air Force Academy, “Hedging against Uncertain Future: The Response of East Asian Secondary Powers to Rising China”, Paper Prepared for the International Political Science Association XXII World Congress of Political Science, Madrid, Spain, July 8-12, 2012, http://rc41.ipsa.org/public/Madrid\_2012/lee.pdf

Engagement

The Seventh option is to engage with the ascending power. Engagement is defined as “the attempt to influence the political behavior of a target state through the comprehensive establishment and enhancement of contacts with that state across multiple issue-areas.” (Resnick 2001: 559) Instruments of engagement policy include diplomatic contacts (e.g. extension and elevation of diplomatic relations, summits, high level meetings, etc.), military contacts (e.g. military exchange, joint training or exercise, confidence building measures, intelligence sharing), economic contacts (e.g. agreements, foreign aids and loans, coordination of macroeconomic policies), and social contacts (e.g. cultural exchanges, improvement of tourism, youth exchange programs). Through these forms of interactions, minor powers can try to induce its target to more moderate and peaceful path of ascendance. Although secondary states’ influence over shaping perceptions and behaviors of rising power is not as powerful as great powers,’ engagement is a considerable option. If ascending state’s thinking and behavior can be altered to a more favorable direction even to the slightest degree, it is worth to attempt because it does not require significant compensations nor costs, and it does not risk provoking antagonism.

### T---Econ/Diplo---Economic---A2: Weird Definitions of “Economic”

#### It’s only “economic” if resources with money-value are involved. Other definitions should be rejected because they are imprecise and unlimiting.

**Baldwin** 85 – David A., Professor of World Order Studies and Political Science at Columbia University, Economic Statecraft, p. 30-31

In the previous chapter economic techniques of statecraft were defined as governmental influence attempts relying primarily on resources that have a reasonable semblance of a market price in terms of money. Although the rationale for defining techniques of statecraft in terms of influence attempts was covered in the previous chapter, the justification for defining “economic” in terms of money prices was postponed until now.

Not everyone would agree that this is worthwhile. Klaus Knorr, for example, focuses his attention on explicating the concepts of power and influence, while virtually ignoring economic concepts. He defends this by asserting that “the conceptualization of economic phenomena. . . [can be taken] for granted, because it is highly standardized and easily accessible in good textbooks.” Thus, when Knorr defines “economic power” in terms of “economic policy,” it is presumably all right since one has only to consult a “good textbook” in order to ascertain criteria for distinguishing economic from noneconomic policy. The best known textbook available, however, is not very helpful in this respect. Paul A. Samuelson’s Economics lists six different definitions of economics and notes that the list could be extended “many times over.” Some of these are clearly unacceptable for differentiating economic from, noneconomic statecraft. For example, to define economic activities as those which involve exchange transactions among people regardless of whether money is used is to include many areas of social life not normally considered to be “economic.” The social exchange theorists have demonstrated that the exchange of status, favors, respect, love, friendship, and so on are ubiquitous in social life; yet few economists or noneconomists would label such exchanges as “economic.” Similarly, to define economics as the “study of how to improve society” is too broad to be helpful in defining economic statecraft. An equally broad definition favored by some economists depicts economics as “a science responsible for the study of human behavior as the relationship between ends and means which have alternative uses.” So defined, it encompasses the whole field of means-ends analysis and is utterly worthless for distinguishing economic techniques of statecraft from other techniques. In defining economic statecraft or economic power, as in other areas of intellectual inquiry, it is risky to take agreement on basic concepts for granted.

Definition of the "economic" aspect of social life in terms of the production and consumption of wealth that is measurable in terms of money corresponds with long-standing usage by the classic textbooks13 of economics and is descriptive of the interests of most contemporary economists. In addition, such usage captures the basic intuitive notion of economic activities used by laymen and policy makers.

#### “Economic” refers to material wealth

AHD 13 – American Heritage Dictionary, “Economic”, http://education.yahoo.com/reference/dictionary/entry/economic

ec·o·nom·ic (k-nmk, k-) KEY

ADJECTIVE:

Of or relating to the production, development, and management of material wealth, as of a country, household, or business enterprise.

Of or relating to an economy: a period of sustained economic growth.

### T---Econ/Diplo---Economic---A2: Economic Effects

#### Determining topicality based on economic effect ruins precision and makes any policy topical

**Baldwin 85** – David A., Professor of World Order Studies and Political Science at Colombia, Economic Statecraft, p. 33-36

Alternative Concepts

As with policy options, the value of a particular conceptualization is best measured by comparing it with available alternatives. Whereas economic statecraft is defined in terms of means, alternative concepts are usually defined in terms of actual or intended effects of a policy or in terms of the process by which the policy was made.

Foreign Economic Policy

The term "foreign economic policy" is sometimes used in much the same way as "economic statecraft" is used here. Other uses, however, should be noted. Benjamin Cohen and Robert Pastor define it in terms of governmental actions intended to affect the international economic environment.17 An important drawback to this conception is that it makes it definitionally impossible to consider foreign economic policy as an option when a statesman wants to affect the noneconomic aspects of the international environment, say the international climate of opinion with respect to the legitimacy of the government of Rhodesia. Rational adaptation of means to ends in foreign policy making is not facilitated by defining some policy options in terms of particular ends. Still another objection to this definition is that it says nothing about the means to be used, thus leaving open the possibility that the use of noneconomic techniques, such as threats of violence, could be considered foreign economic policy. Such a possibility strays needlessly from common usage.

I. M. Destler offers a definition of “foreign economic policy” in terms of the actual impact of governmental actions on foreign and economic concerns. This definition implies nothing whatever about either the means used or the effect intended; instead it focuses on the actual effects— intended or not. Thus, a nuclear war could be labeled as “foreign economic policy” if it had important side effects on foreign economic matters. Any conception of foreign economic policy that cannot differentiate between nuclear attack and trade restrictions is hopelessly at odds with common usage. Any conception of “policy” that ignores both means and ends is unlikely to be of much use in assessing the rationality of a given policy.

International Economic Policy

Stephen D. Cohen argues that the term "international economic policy" is preferable to the more commonly used phrase, "foreign economic policy." He contends that "international economic policy must be viewed as being a separate phenomenon, not a tool for use by either foreign policy or domestic economic policy officials." The reasons underlying Cohen's position can be summarized as follows: (1) "International economic policy" is the "preferable term because . . . policy making in this area must take account of too many questions of domestic. . . policy to be considered 'foreign.' " (2) "The term 'foreign economic policy' usually connotes a subdivision of foreign policy as a whole and is therefore an oversimplification." And (3) acceptance of international economic policy as a distinct policy area is the "best and quickest way" to improve understanding of the "forces of economics in international economic policy" and of "the global political impact of U.S. international economic policy."19 The following points, however, should be noted in response to Cohen's position: (1) Foreign policy has traditionally been defined in terms of attempts to influence foreigners, not in terms of the factors that should be taken into account in formulating the policy. The fact that making international economic policy requires consideration of foreign and domestic political and economic factors in no way distinguishes it from traditional conceptions of foreign economic policy. (2) It is not self-evident that treating foreign economic policy as a subdivision of foreign policy as a whole constitutes "oversimplification." Cohen provides little evidence or argument to support this contention. Indeed, from an a priori standpoint, it would seem simpler to consider international economic policy by itself than to treat it as part of a larger whole. Treating more variables may lead to overcomplexity, but it rarely leads to oversimplification. And (3) the question of whether Cohen's approach is the "best and quickest way" to enhance understanding is best answered after consideration of alternative

At least three common meanings of the term “economic sanctions” may be identified. The first is a rather narrow concept referring to the use of economic measures to enforce international law. The second refers to the types of values that are intended to be reduced or augmented in the target state. And the third usage corresponds to the concept of economic techniques of statecraft as used here. The first is narrowly legalistic and therefore unsuitable for general foreign policy analysis. The second emphasizes intended effects rather than the means for achieving those effects. The difficulty is that any or all of the policy instruments discussed in the previous chapter can be used to ‘affect the economic values in a target state. Diplomatic pressure on other states can be used to discourage trade with the target; propaganda can be used to undermine confidence in the target state’s currency; and military attack can be used to destroy factories. Thus, conceiving of economic sanctions in terms of the intended effects on the receiving state is no help at all in distinguishing economic from noneconomic tools of statecraft. The term “economic sanctions” is used in so many different ways that there is much to be said for avoiding it altogether. Unfortunately, the term is so deeply embedded in the literature of economic statecraft that ignoring it is impossible. Later chapters will therefore use this term, but only in its third sense.

#### Using the end as focus wrecks topic education

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

Some scholars have excessively narrowed the definition of engagement by defining it according to the ends sought rather than the means employed. For example, Schweller and Wohlforth assert that if any distinction can be drawn between engagement and appeasement, "it is that the goal of engagement is not simply tension-reduction and the avoidance of war but also an attempt to socialize [a] dissatisfied power into acceptance of the established order."(n17) Such ends-based definitions hinder the study of engagement in two ways. First, because the act of policymaking consists of selecting from a variety of alternative means in the pursuit of a given end(s), it stands to reason that policy instruments are more effectively conceptualized in terms of means rather than ends. When defined as different means, policies can be more easily compared with one another across a whole spectrum of discrete ends, in order to gauge more accurately the circumstances under which each policy is relatively more or less effective.(n18)

Second, scholars who define engagement as the end of peaceful socialization inevitably create a bias for future empirical research on engagement outcomes. This is because it is difficult to imagine a more ambitious foreign policy objective than the peaceable transformation of a revisionist state that rejects the dominant norms and practices of the international system into a status-quo state that embodies those same norms and practices. The equation of engagement with socialization alone forecloses the possibility that engagement could be employed to accomplish more modest goals such as tension-reduction. Therefore, all else being equal, scholars using this loaded definition will be predisposed to conclude from examination only of the hardest cases of attempted socialization that the policy is ineffective.(n19) Considering engagement as a set of means would enable analysts to more fairly assess the effectiveness of engagement relative to other policies in achieving an array of ends.

#### The means of engagement determine whether it is “economic”, not the goals

**Baldwin 85** – David A., Professor of World Order Studies and Political Science at Colombia, Economic Statecraft, p. 39-40

Choosing a concept of economic statecraft is not merely a matter of “semantic taste,” at least not if that is meant to imply that “there is no disputing matters of taste.” Some concepts are better suited for the analysis of governmental influence attempts than others. In comparison with available alternatives, the concept of “economic statecraft” has several advantages. The most important of these can be summarized as follows:

1. “Economic statecraft” emphasizes means rather than ends. This usage is probably closer to ordinary language than definitions in terms of ends. Bombing a library is not called cultural warfare; bombing homes is not called residential warfare; bombing nuclear reactors (with conventional bombs) is not called nuclear warfare; and bombing factories should not be labeled economic warfare. 2. “Economic statecraft” does not restrict the range of goals that may be sought by economic means. It makes it conceptually possible to describe the empirically undeniable fact that policy makers sometimes use economic means to pursue a wide variety of noneconomic ends. 3. “Economic statecraft” treats policy instruments as property concepts, thus facilitating the maintenance of a clear distinction between undertakings and outcomes. 4. Unlike most alternative concepts, the definition of “economic statecraft” includes a definition of “economic.” It thus provides criteria for distinguishing economic techniques of statecraft from noneconomic techniques.

#### “Economic engagement” is defined by mechanisms, not goals

Scharfen 95 – John C., Marine Colonel, Planner with US Commander in Chief, Europe, The Dismal Battlefield: Mobilizing for Economic Conflict, p. 45

As defined here, the common element found in the categories of economic support, economic competition, economic coercion, and economic war is that each to some degree relies upon the use of the economic instrument to achieve an objective. However, only in economic competition is the objective purely economic. In economic support, coercion, and war, the objective routinely transcends economics arid will include political, military, and possibly even social goals. It is popular to equate economic conflict with economic sanctions and to define the term sanctions as being inclusive of all instruments of economic force. Such a generality deprives the policymaker of the capability to make distinctions among economic options or to rationalize a strategy that embraces the use of the economic instrument. Table 3 (chapter 6) offers a partial list of the instruments of economic force (including sanctions) that still require detailed definition and analysis.

### T---Econ/Diplo---Diplomatic---General Definitions

#### “Diplomacy” is official inter-state communciations

Berridge & James 2001 (G.R., Professor of International Politics at the University of Leicester; Alan, Emeritus Professor of International Relations at Keele University, A Dictionary of Diplomacy, p. 62-63)

diplomacy. (1) The conduct of relations between \*sovereign states through the medium of officials based at home or abroad, the latter being either members of their state’s \*diplomatic service or \*temporary diplomats. Thus diplomacy includes the stationing of representatives at \*international organizations. But the backbone of diplomacy has, for five centuries, been the dispatch of \*diplomatic missions to foreign states, and it is still very much the norm. As states are notional rather than flesh-and-blood persons, they cannot communicate in the manner of individuals, but must do so through representative human persons. In principle, this can be done by such individuals speaking to each -other at a distance through electronic devices. But there are large practical objections to their use as the sole or even the prime method of interstate communication. Diplomacy is therefore the principal means by which states communicate with each other, enabling them to have regular and complex relations. It is the communications system of the \*international society. The label ‘diplomacy’ was first given to this system by Edmund Burke in 1796. See also channels of communication. (2) The use of tact in dealing with people. Diplomacy in this sense is a skill which is hugely important in the conduct of diplomacy. But there is a large distinction between an apt way of executing a task, and the underlying function of that task. (3) Any attempt to promote international \*negotiations, whether concerning inter- or intra-state conflicts; hence \*track two diplomacy’. (4) Foreign policy. The use of the word ‘diplomacy’ as a synonym for foreign policy, which is especially common in the United States, can obscure the important distinction between policy and the (non-violent) means by which it is executed.

#### Diplomatic is international

**Encarta World English Dictionary 2005** <http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861604850>

1. involving diplomacy: concerned with or involving international diplomacy or the work of diplomats

#### Diplomatic includes negotiations

WordNet 2003 http://dictionary.reference.com/search?r=66&q=diplomatic

3: able to take a broad view of negotiations between states [syn: wise]

#### Diplomatic means dealing with international relations

Webster’s Third New International Dictionary 1981

Concerned or connected with international relations

#### Diplomatic means dealing with international relations

The New Oxford Dictionary of English 1998

Of or concerning the profession, activity, or skill of managing international relations

### T---Econ/Diplo---Violation---Counterterrorism

#### “Economic” issues are trade and investment, not counterterrorism

Orland 8 – Brian Orland, Research Intern at Strategic Foresight Group, Former Research Intern at Institute of Peace and Conflict Studies in New Delhi, Graduate of Davidson College in Political Science, “India’s Sri Lanka Policy: Towards Economic Engagement”, IPCS Research Papers, April, http://www.ipcs.org/pdf\_file/issue/1445888596RP16-Brian-SriLanka.pdf

On the economic side, increased trade and investment have been the impetus for improved bilateral relations. India's decision to offer Sri Lanka favorable terms in trade has yielded not only greater economic engagement but political and strategic benefits as well. For instance, more equitable benefits in trade—represented by a narrowing of the trade balance that had titled heavily towards India—helped to diminish the perception within Sri Lanka of India as a hegemonic neighborhood bully. Burgeoning trade and investment between India and Sri Lanka, including in the strategic energy sector, have woven economic inter-dependency into the bilateral relationship and provided the forum for increased communication and cooperation on non-economic issues like counterterrorism.

### T---Econ/Diplo---Violation---Military

#### Military engagement is non-economic because it has no intrinsic monetary value --- prefer exclusive evidence from the preeminent author on the topic

Steil 6 – Dr. Benn Steil, Senior Fellow and Director of International Economics at the Council on Foreign Relations and Robert E. Litan, Senior Fellow in Economic Studies at the Brookings Institution, Financial Statecraft: The Role of Financial Markets in American Foreign Policy, p. 1

\*Note – “pecuniary” means “of, relating to, or consisting of money”

As long as the world remains divided into sovereign nations, there will always be a need for statecraft—the means by which governments pursue foreign policy. Harold Lasswell (1958), one of the scholarly giants in this field, suggested that statecraft was pursued through four primary instruments: information (words and propaganda), diplomacy (negotiations and deals), force (weapons and violence), and economics (goods and money).1 The scholarly literature on foreign policy is full of major treatises, articles, and other texts on the first three of these instruments. There remains, however, a single classic text on "economic statecraft." Though in his book by that title, David Baldwin (1985) provides no single, all-encompassing definition of the term, one can be spliced together from his discussions of both statecraft and economics: Economic statecraft encompasses efforts by governments to influence other actors in the international system, relying primarily on resources that have "a reasonable semblance of a market price in terms of money."" Baldwin's reference to money prices is intended to distinguish economic statecraft from other types of statecraft, such as military statecraft, which utilize nonpecuniary means of persuasion or coercion, while at the same time accommodating the broadest possible range of measures that could usefully be called economic.

**Military action isn’t topical – it’s neither diplomatic nor economic engagement**

**Kelly ’93** (Major Michael, Judge Advocate General's Corps, United States Army, 141 Military Law Review 83, Summer)

n326 Cf. Gerald R. Ford, State of the Union Message, Address Before Congress (January 19, 1976), in PHILIP VAN SLYCK, STRATEGIES FOR THE 1980's 37 (1981) ("a strong defensive posture gives weight to . . . our views in international negotiations; it assures the vigor of our alliances; and it sustains our efforts to promote settlements of international conflict"). See generally WRIGHT, supra note 81, §§ 214-20 (cataloging seven measures for directing force against another nation for foreign affairs purposes; arguing that the three major categories are diplomatic pressure controlled by the executive, economic pressure controlled by Congress, and military force, the control of which depends on the measure employed); ROGERS, supra note 290, at 21; DOD ANNUAL REPORT, supra note 319, at 4, 6-7 (announcing three defense priorities with clear foreign relations implications: collective security alliances, low intensity conflict resolution, and peacetime engagement -- that is, nation building).

#### Using force makes the plan “military”, not “economic” engagement

Amstutz 8 – Mark R. Amstutz, Professor of Political Science at Wheaton College, International Ethics: Concepts, Theories, and Cases in Global Politics, p. 176

THE AIMS AND EFFECTS OF ECONOMIC SANCTIONS

Economic sanctions are a particular type of statecraft used to advance foreign policy goals. According to David Baldwin. sanctions are "influence attempts" in which states seek to exert power over other international actors—that is, to get them to do what they otherwise would not do.4 The major difference between economic statecraft and military statecraft does not lie in the level of coercion or destructiveness involved but in the nature of the tools used: Military statecraft relies on force to influence other states (through rewards or punishment) whereas economic statecraft relies on economic instruments.

#### Military sanctions aren’t economic sanctions

**Wallensteen 83** – Peter, Director of the Department of Peace and Conflict Research at Uppsala Univ., Sweden, Dilemmas of Economic Coercion: Sanctions in World Politics, p. 89

Sanctions can be applied by many different means, of which economics is only one. There are also diplomatic or military sanctions as well as less conventional forms such as popular demonstrations or mail campaigns.

#### Sanctions with military goals are “economic warfare” – not economic coercion

Nincic & Wallensteen 83 – Miroslav, Associate Professor of Politics at NYU; Peter, Director of the Department of Peace and Conflict Research at Uppsala University, Sweden, Dilemmas of Economic Coercion: Sanctions in World Politics, p. 3-4

The nature of these goals will be discussed later but it will be useful, at the outset, to distinguish economic coercion (as defined here) from economic warfare. Although the boundary between the two is admittedly fluid, in the latter case economic privations are imposed with a military objective, i.e., to weaken the target’s capacity to wage war. The bombing of an enemy’s industrial installations could be a valid example but, in most cases, economic warfare would involve purely economic actions directed to a military objective. Cutting vital exports to the adversary is probably the major form of economic warfare. Shutting out the other side’s imports or, for example, preemptive buying on world markets of goods needed for his war effort, are other methods. Since Napoleon’s Continental Blockade, economic war has generally occurred in tandem with acute military rivalries.

Often, however, it is difficult to distinguish such measures from economic sanctions since the line between political and military goals is evanescent and, even when adequate distinctions can be made, both objectives may be pursued by the same means. For example, the purpose of U.S. controls of its exports (and those of its allies) to the Soviet Union has been to undermine Russia’s military capacity by depriving it of relevant technology; controls, however, have also been designed to demonstrate distaste for Soviet communism, to punish specific policies, to display toughness in Cold War sparring, and so forth. Still, the distinction can be made, and it is useful to locate economic sanctions on a continuum of foreign policy instruments distinguished by their coerciveness.

#### Military and economic engagement are distinct --- the division is predictable, principled, and necessary to assess the desirability of policy

Baldwin 85 – David A., Professor of World Order Studies and Political Science at Colombia, Economic Statecraft, p. 12-14

In making influence attempts foreign policy makers may choose from among a wide variety of alternative ways to promote their goals. Foreign policy “tools,” “means,” “instruments,” “levers,” and “techniques” all refer to the policy options available to decision makers in pursuing a given set of objectives; and these terms will here be used interchangeably. To reduce the multitude of techniques of statecraft to manageable proportions, a classification scheme that facilitates reference to broad categories of statecraft is useful. The selection of a particular taxonomy, however, is not a purely arbitrary undertaking, but rather should proceed according to specified criteria. The criteria employed here are as follows: 1. Conformity with scientific canons requiring parallel categories to be mutually exclusive and exhaustive of all cases. 2. Avoidance of unnecessary departures from common usage. Ideally, categories would be consistent with common usage by laymen, academics, and policy makers. 3. Utility in identifying and clarifying policy options for modern statesmen. The important thing is to capture the richness and variety of available techniques without overwhelming the policy maker with a huge number of categories. Some scholars reduce all techniques of statecraft to two categories— war and diplomacy. Both Raymond Aron and Hans Morgenthau illustrate this tendency to use “diplomacy” to refer to all the means of conducting relations with other states short of war. While such an approach may be reasonably consistent with the first two criteria, it is seriously deficient in terms of the third criterion. It is simply not very helpful to present a policy maker with only two sets of options. Even the busiest statesman is likely to regard such categorization as overly simple and not especially useful. The trick is to give the policy maker a set of alternatives that is simple enough to be readily understood yet complex enough to call attention to alternatives that might otherwise be ignored. Charles F. Hermann has developed a taxonomy of foreign policy instruments based on eight categories: diplomatic, domestic political, military, intelligence, economic, scientific/technological, promotive, and natural resources. Although this thought-provoking list is more useful than the simple dichotomy suggested by Aron and Morgenthau, some of the categories are not mutually exclusive (e.g., “economic” and “natural resources”); and, more importantly, this taxonomy may involve too many categories to be useful to a policy maker. Bewildering complexity is as undesirable as oversimplification. If common usage is a desirable characteristic, an old taxonomy may be more useful than a more recent one, since there has been more time for such categories to become accepted. Harold Lasswell’s classic work, Politics: Who Gets What, When, How, sets forth a classification scheme that seems well suited to the study of policy instruments. In a “postscript” to this book written in 1958, Lasswell suggests that his “fourfold division of policy instruments is particularly convenient when the external relations of a group are considered: information, diplomacy, economics, force (words, deals, goods, weapons).” Lasswell’s formulation provides the basis for the following taxonomy of techniques of statecraft employed in this book: 1. Propaganda refers to influence attempts relying primarily on the deliberate manipulation of verbal symbols. 2. Diplomacy refers to influence attempts relying primarily on negotiation. 3. Economic statecraft refers to influence attempts relying primarily on resources which have a reasonable semblance of a market price in terms of money. (This category will be developed in chapter 3.) 4. Military statecraft refers to influence attempts relying primarily on violence, weapons, or force. Mutual influence attempts by states, of course, will often involve varying degrees of more than one of these elements; but in most cases it is possible to make a reasonable judgment as to the primary basis of the influence attempt. Words, for example, are often involved in diplomatic, economic, and military statecraft; but that does not mean that all such influence attempts must be classified as propaganda. As in all classification schemes, borderline cases exist that require the analyst to make judgments. With a reasonable amount of imagination and judgment the requirements that categories be mutually exclusive and that they exhaust all cases can be satisfied, at least adequately if not perfectly.

#### Military intervention isn’t “engagement”

Ozcan 11 – Mesut Ozcan, Professor of International Relations at the Istanbul Commerce University, “From Distance to Engagement: Turkish Policy Towards the Middle East, Iraq and Iraqi Kurds”, Insight Turkey, 13(2), Spring, Academic OneFile

Turkish foreign policy in the Middle East since 1999 has witnessed revolutionary changes. Turkey's traditional policy in the region aimed for the country to be as distant as possible from the region, but currently Turkey is very much engaged in regional politics and today it is one of the countries that is considered as a mediator in regional problems. The term engagement here refers not to military interventions but to engagement in regional politics. It can be argued that Turkey was also engaged in the Middle East during the 1990s because of its military operations against the PKK in Iraq. However, today Ankara is an active player in the region using non-military means of diplomacy, such as economic tools and international conferences, and Turkey has become an indispensable actor in Middle Eastern politics. The change in the attitude of Turkey towards the Middle East can be easily grasped by examining its policy towards Iraq.

### T---Econ/Diplo---CI---A2: “Econ” / “Diplo” Separate From Engagement

#### Prefer evidence that defines phrases “diplomatic engagement and “economic engagement” as a whole --- “engagement” alone gets distorted based on specific context and clouds understanding of the topic

Capie 2 – David H. Capie, Institute of Southeast Asian Studies, and Paul M. Evans, Co-CEO and Chairman of the Executive Council of the Asia Pacific Foundation of Canada, , The Asia-Pacific Security Lexicon, p. 118

According to the Oxford Concise Dictionary, the noun engagement and the verb to engage have several different meanings. Among these, to engage can mean "to employ busily", "to hold a person's attention", "to bind by a promise (usually a marriage)", or to "come into battle with an enemy". The noun engagement can mean "the act or state of engaging or being engaged", an "appointment with another person", "a betrothal", "an encounter between hostile forces", or "a moral commitment". The gerund engaging means to be "attractive or charming". In the literature on security in the Asia-Pacific, engagement most commonly refers to policies regarding the People's Republic of China. However, the term has been used in many different ways leading to a great deal of confusion and uncertainty. A Business Week headline summed up the confusion: "Does 'engagement' mean fight or marry?"1

Although one of the most important and ubiquitous terms in the Asia-Pacific security discourse, engagement is generally under-theorized. Most of the literature on the term is either descriptive or prescriptive. There is little agreement about the meaning of engagement and considerable inconsistency in its use. The New York Times noted that "there are many definitions of engagement" and described it as a "moving target".2 This indeterminacy has prompted a host of scholars and officials to offer their own modified interpretations of engagement, for example *deep engagement* or *conditional engagement*. These, in turn, have arguably made for less, rather than greater conceptual clarity.

#### Many types of “engagement” exist. Meaningful debate demands precision about the term.

Haass 00 – Richard Haass & Meghan O’Sullivan, Brookings Institution Foreign Policy Studies Program, “Terms of Engagement: Alternatives to Punitive Policies”, Survival, 42(2), Summer, p. 1-2

The term ‘engagement’ was popularised in the early 1980s amid controversy about the Reagan administration’s policy of ‘constructive engagement’ towards South Africa. However, the term itself remains a source of confusion. Except in the few instances where the US has sought to isolate a regime or country, America arguably ‘engages’ states and actors all the time simply by interacting with them. To be a meaningful subject of analysis, the term ‘engagement’ must refer to something more specific than a policy of ‘non-isolation’. As used in this article, ‘engagement’ refers to a foreign-policy strategy which depends to a significant degree on positive incentives to achieve its objectives. Certainly, it does not preclude the simultaneous use of other foreign-policy instruments such as sanctions or military force: in practice, there is often considerable overlap of strategies, particularly when the termination or lifting of sanctions is used as a positive inducement. Yet the distinguishing feature of American engagement strategies is their reliance on the extension or provision of incentives to shape the behaviour of countries with which the US has important disagreements.

Today’s rapidly globalising world, no longer beset by Cold War competitions, creates new possibilities for engagement as a foreign-policy option. In particular, the growing recognition of the drawbacks of punitive policies in this new environment has spurred a search for alternative strategies. There are increasing doubts about the wisdom of using sanctions, particularly when exerted unilaterally in a globalised world economy, to dissuade problem regimes from their agendas. Not only has the record of sanctions in forcing change been poor, but the costs of such policies to civilian populations and American commercial interests has often been substantial. Just as faith in sanctions has been shaken, the limits of military force have been exposed: despite relentless bombings, Saddam Hussein remains in power, and events in Kosovo demonstrate how even the most carefully orchestrated military campaign can result in serious collateral damages.

Moreover, the dissolution of Cold War alignments has both opened new opportunities for engagement strategies and created new rationales for them. Due to the heightened economic vulnerability and strategic insecurity of former Soviet allies, the incentives that the US can offer have new potency. At the same time, because America’s allies are freer to shape their foreign-policy agendas subject to their own desires, the US needs to seek out policies with appeal which extends beyond rigid American preferences. During the 1990s, many of America’s closest allies in Europe revealed a preference for using incentives rather than punitive actions to achieve foreign-policy goals.2

Many different types of engagement strategies exist, depending on who is engaged, the kind of incentives employed and the sorts of objectives pursued. Engagement may be conditional when it entails a negotiated series of exchanges, such as where the US extends positive inducements for changes undertaken by the target country. Or engagement may be unconditional if it offers modifications in US policy towards a country without the explicit expectation that a reciprocal act will follow. Generally, conditional engagement is geared towards a government; unconditional engagement works with a country’s civil society or private sector in the hopes of promoting forces that will eventually facilitate cooperation.

### T---Econ/Diplo---CI---A2: Contextual Evidence

#### Contextual uses of “engagement” are virtually infinite and ruin precision

Traub 10 – James Traub, Fellow of the Center for International Cooperation and Contributing Writer for the New York Times Magazine, “Terms of Engagement”, Foreign Policy, 2-19, http://www.foreignpolicy.com/articles/2010/02/19/terms\_of\_engagement?print=yes&hidecomments=yes&page=full

Virtually all conversations with Obama administration foreign-policy officials, no matter where they begin, come to rest at "engagement" -- that vexing, mutable, all-purpose word. The U.S. president has "engaged" with rogue states, civil society, the United Nations, and citizens around the globe. Iran vindicates the policy of engagement -- or discredits it. China is a failure of engagement, Russia a success. Inside the Obama realm, engagement has come to mean "good diplomacy."

To critics on both the left and right, however, it has come to mean "bad diplomacy" -- cynical or naive, depending on which side you come from.

These days -- these shaky days -- the critics seem to be gaining the upper hand, making those Obama officials increasingly defensive about their policy toward autocratic states, whether in the Middle East or Eurasia, Iran or Sudan. Having spent years thinking hard thoughts in universities and think tanks, magazines and books, they cannot believe that they are losing the definitional war over their own policy. They are eager, and maybe a little desperate, to set things aright. And so it was, earlier this week, that when I asked to talk to one official about democracy promotion, I wound up having a 75-minute phone conversation with four White House figures, much of it about "engagement."

"A lot of the baggage we carry," said an officeholder I might as well designate as Senior Official #1 -- the conversation was on background and the White House that offered up these folks to defend the policy was insistent they not do so on the record -- "is the word 'engagement.' People hear the word and they think 'constructive engagement.'" I'm not sure this is true outside certain New England common rooms, but it's definitely not an association the Obama White House would like to encourage. After all, Ronald Reagan's administration used that expression to justify the United States's ongoing relationship with South Africa's apartheid government, a policy widely derided as a cynical pretext to preserve ties with a Cold War ally. And it failed.

If "constructive engagement" is one definition the Obamans are eager to avoid, another is straightforward, old-fashioned Kissingerian "realism" -- if by realism one means dealing with the interests of states, including brutal states, to the exclusion of those of ordinary citizens. As another interlocutor -- call him Senior Official #2 -- growing rather hot under the telephonic collar, put it, "A lot of my friends said, 'You guys are a bunch of engagement realists. They'll never talk about democracy and human rights.'" Barack Obama himself arguably encouraged this view during his 2008 presidential campaign by criticizing George W. Bush's moralistic bluster, by regularly expressing his high regard for archrealists like James Baker and Brent Scowcroft, and by stipulating his willingness to meet "without preconditions" with even the worst tyrants. And since becoming president he has muted criticism of the regimes in Sudan and Burma, and referred respectfully to "the Islamic Republic of Iran."

The allegation of realpolitik is still intolerable -- even baffling -- to these officials, who pledged themselves to Obama out of a deep faith in his redemptive promise. But if engagement rests upon the expectation that treating autocrats and theocrats with respect will significantly alter their behavior, then it suffers less from cynicism than from credulity -- which is the other article of baggage under which engagement now staggers. How can anyone believe that? Administration officials have been at pains to deny that they ever did, especially since Iran has trampled Obama's entreaties underfoot. The goal of engaging Iran, they now say, was not to change Iran's behavior but to change the behavior of more tractable states, like Russia and China, by showing that the United States was willing to go the last mile even with the Axis of Evil.

Of course, there is abundant evidence that Obama and some of his chief advisors really did hope that Iranian President Mahmoud Ahmadinejad would moderate nuclear policy if they showed due regard for his country's national interests, as Helene Cooper recently noted in the New York Times. But it's also true that from the outset, officials have made the secondary argument for the virtues of engagement. The SOs insisted to me, as other SOs have in the past, that Obama's Iran policy in fact constitutes a triumph of engagement because Russia has increasingly come around to the American view on the imperative for sanctions. They argue that the Russian change of heart owes not only to the country's growing alarm over Iranian ambitions, but also to the White House's persistent effort to put relations with Russia on a less adversarial footing than they were at the end of the Bush years. We have engaged with Russia and reaped the benefits. Of course, Russia hasn't yet signed on to a tough sanctions measure against Iran; and China, which so far has pocketed Obama's shows of deference without much display of gratitude, may scotch the whole affair.

Let us stipulate, then, that engagement is not quite so naive as it appears. But is it not, still, a realist bargain, trading away those universal values that the president so often evokes in the hopes of geostrategic wins, whether on Iran or climate change or the global economy?

"We're trying to say 'no,'" says SO #2. "We're not going to accept that tradeoff. We're going to do this in parallel."

Trying, of course, isn't doing. But in Russia, this official argues, Obama successfully lowered the temperature with President Dmitry Medvedev while still meeting with dissidents and civil society groups, and he criticized the country's undemocratic elections last fall. And it was "parallel," not a "tradeoff": Obama didn't offer to go easy on human rights, or for that matter missile defense, to get an arms deal, nor did he insist that progress on arms control would depend on democratization.

There is a term for such a nuanced policy: "double-track engagement," an expression used by George Shultz, secretary of state during Reagan's second term, who pursued national interests while at the same time helping to pry open such autocratic Cold War allies as Chile and the Philippines. And since Obama, unlike Reagan, puts real store by the United Nations and other multilateral institutions, he is in fact practicing a yet more nuanced "triple-track engagement" -- with states, with peoples, and with international bodies. The United States has rejoined the Human Rights Council, paid up its U.N. dues, and promoted the G-20 over the G-8.

It became clear enough, after 75 minutes, that engagement is not one thing, or two things. It's three or four things. It's "multifaceted and complex." It's complicated because the world is complicated. Maybe that's why the Obama administration clings to its favorite word -- because complicated is hard to explain. Simple policies, like Bush's Freedom Agenda, afford immediate gratification -- and then deep disappointment down the road. Nuanced, many-things-at-once policies require patience and a tolerance for ambiguous victories. We now have abundant evidence that this is not a patient or tolerant moment. You have to wonder how long complicated can survive in the absence of big wins.

All of which leaves our senior officials increasingly defensive. "Does it take time to get a bureaucracy oriented around the idea of multitrack diplomacy?" asked SO #1. "All the habits of interaction are binary. So it does."

Sometimes, as in China or Egypt, engagement with the state seems to preclude engagement with the aspirations of citizens and you get, well, realism. Other times, folks like us just don't get it. Of course, we might feel less confused if the Obamans used some term other than "engagement" to cover virtually everything they do.

### T---Econ/Diplo---CI---A2: Overlimits

#### Our interpretation allows sufficient Aff flexibility

Bayne 7 – Sir Nicholas Bayne, Fellow at the International Trade Policy Unit of the London School of Economics, and Stephen Woolcock, Lecturer in International Relations at The London School of Economics, The New Economic Diplomacy: Decision-making and Negotiation in International Economic Relations, p. 4

Economic diplomacy is best defined not by its instruments but by the economic *issues* that provide its content. We follow the same categories as used by Odell in determining the scope of economic negotiation: 'policies relating to production, movement or exchange of goods, services, investments (including official development assistance), money, information and their regulation’ (Odell 2000. 11). This is a very wide range of issues. A single volume could not cover them all and, of necessity, this book is selective. It concentrates on the central issues of trade, finance, energy and the global environment. These are topics of high political profile, which arouse strong popular concern and bring out well the interplay between different actors in economic diplomacy

#### Defining engagement overly broadly ruins the quality of debate

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

While the term "engagement" enjoys great consistency and clarity of meaning in the discourse of romantic love, it enjoys neither in the discourse of statecraft. Currently, practitioners and scholars of American foreign policy are vigorously debating the merits of engagement as a strategy for modifying the behavior of unsavory regimes. The quality of this debate, however, is diminished by the persistent inability of the US foreign policy establishment to advance a coherent and analytically rigorous conceptualization of engagement. In this essay, I begin with a brief survey of the conceptual fog that surrounds engagement and then attempt to give a more refined definition. I will use this definition as the basis for drawing a sharp distinction between engagement and alternative policy approaches, especially appeasement, isolation and containment.

In the contemporary lexicon of United States foreign policy, few terms have been as frequently or as confusingly invoked as that of engagement.(n1) A growing consensus extols the virtues of engagement as the most promising policy for managing the threats posed to the US by foreign adversaries. In recent years, engagement constituted the Clinton administration's declared approach in the conduct of bilateral relations with such countries as China, Russia, North Korea and Vietnam.

Robert Suettinger, a onetime member of the Clinton administration's National Security Council, remarked that the word engagement has "been overused and poorly defined by a variety of policymakers and speechwriters" and has "become shopworn to the point that there is little agreement on what it actually means."(n2) The Clinton foreign policy team attributed five distinct meanings to engagement:(n3)

A broad-based grand strategic orientation: In this sense, engagement is considered synonymous with American internationalism and global leadership. For example, in a 1993 speech, National Security Advisor Anthony Lake observed that American public opinion was divided into two rival camps: "On the one side is protectionism and limited foreign engagement; on the other is active American engagement abroad on behalf of democracy and expanded trade."(n4)

A specific approach to managing bilateral relations with a target state through the unconditional provision of continuous concessions to that state: During the 1992 presidential campaign, candidate Bill Clinton criticized the Bush administration's "ill-advised and failed" policy of "constructive engagement" toward China as one that "coddled the dictators and pleaded for progress, but refused to impose penalties for intransigence."(n5)

A bilateral policy characterized by the conditional provision of concessions to a target state: The Clinton administration announced in May 1993 that the future extension of Most Favored Nation trading status to China would be conditional on improvements in the Chinese government's domestic human rights record.(n6) Likewise, in the Agreed Framework signed by the US and North Korea in October 1994, the US agreed to provide North Korea with heavy oil, new light-water nuclear reactors and eventual diplomatic and economic normalization in exchange for a freeze in the North's nuclear weapons program.(n7)

A bilateral policy characterized by the broadening of contacts in areas of mutual interest with a target state: Key to this notion of engagement is the idea that areas of dialogue and fruitful cooperation should be broadened and not be held hostage through linkage to areas of continuing disagreement and friction. The Clinton administration inaugurated such a policy toward China in May 1994 by declaring that it would not tie the annual MFN decision to the Chinese government's human rights record.(n8) Similarly, the administration's foreign policy toward the Russian Federation has largely been one of engagement and described as an effort to "build areas of agreement and...develop policies to manage our differences."(n9)

A bilateral policy characterized by the provision of technical assistance to facilitate economic and political liberalization in a target state: In its 1999 national security report, the White House proclaimed that its "strategy of engagement with each of the NIS [Newly Independent States]" consisted of "working with grassroots organizations, independent media, and emerging entrepreneurs" to "improve electoral processes and help strengthen civil society," and to help the governments of the NIS to "build the laws, institutions and skills needed for a market democracy, to fight crime and corruption [and] to advance human rights and the rule of law."(n10)

Unfortunately, scholars have not fared better than policymakers in the effort to conceptualize engagement because they often make at least one of the following critical errors: (1) treating engagement as a synonym for appeasement; (2) defining engagement so expansively that it essentially constitutes any policy relying on positive sanctions; (3) defining engagement in an unnecessarily restrictive manner.

### T---Econ/Diplo---CI---Topic Education

#### Topic education---blurring the line of “economic” creates definitional chaos that precludes any understanding of engagement

van Bergeijk 11 – Dr. Peter A.G. van Bergeijk, Professor of International Economics and Macroeconomics at the Institute of Social Studies at Erasmus University, Economic Diplomacy: Economic and Political Perspectives, p. 8-9

Clearly, there is a need for improved understanding of economic diplomacy's activities, tools and goals. This article contributes to this debate, and proposes a conceptual and an analytical framework of economic diplomacy. The reasons for this are threefold. First, the distinction between economic diplomacy and related concepts is imperative in order to bring order in the definitional chaos. What differentiates economic diplomacy from economic statecraft, economic security, trade diplomacy, commercial diplomacy and financial diplomacy — and how do these concepts relate? Second, a better conceptualization of economic diplomacy is useful in order to address practical questions, such as how to deal with the artificial distinction between the public and private sectors. Finally, improved understanding of both the theory and practice of economic diplomacy grows in importance because of shifting power balances. Latecomer countries — including Asian, post-colonial and transition states — are strengthening their role and influence in global politics and economics in a system that has long been dominated by Western countries. Confronted with the viscosity of global governance and international political and financial institutions, the governments of these emerging countries primarily use economic tools and commercial relations to strengthen their position in international politics.

The proposed (re)definition of economic diplomacy adds to the existing literature by spurring a meaningful reorganization of the diversity of institutional frameworks in the fields of diplomacy, economic studies and security in general.5 The conceptual and analytical frameworks that are proposed here must therefore be judged by their purpose — that is, to bring order and meaning to a mass of phenomena that would remain disconnected and unintelligible without them. The fundamental questions are, first, what is meant by 'economic' in economic diplomacy? That is, are we talking about economic goals (such as enhancing economic prosperity), economic tools (including using deprivation of access to products and funds as political leverage) or economic motives (for example, promoting one's own industry)? Second, what is meant by 'diplomacy'? How is diplomacy different from policy, or what distinguishes economic diplomacy from foreign economic policy? Answers to these questions are sought through review and analysis of the available literature in the fields of international relations (1R), economics, international political economics (IPE), and diplomatic studies.

### T---Econ/Diplo---Aff

#### Economics cannot be split off from strategic considerations --- their interpretation warps the discussion of foreign policy

Dobson 1 – Alan, Professor of International Relations at the University of Wales, US Economic Statecraft for Survival 1933-1991, p. 4

There are plenty of works on US foreign policy conceived of primarily in political and strategic terms. By comparison, economic instruments of foreign policy and economic issues as the subject of policy-making are generally only of peripheral or passing concern, or are seen as technically separate from other aspects of foreign policy. Banishment to the periphery and the segregation of the economic from the political and the strategic are regrettable. Deterrence and attempts at deterrence in the 1930s and in the Cold War went deeper and spread broader than can be captured simply by focusing on the purely political and the purely strategic. The political, the strategic and the economic are all inextricably intertwined strands of foreign policy. A brief excursion into the 1930s will demonstrate the pertinence of this judgement.

#### Economic statecraft is broad and complicated --- rigid definitions should be rejected

Dobson 1 – Alan, Professor of International Relations at the University of Wales, US Economic Statecraft for Survival 1933-1991, p. 7-8

Thus economic statecraft emerges as a focus of concern for scholars within the broader field of foreign policy. In this study, activity falls within the scope of economic statecraft not only when economic instruments are used as means for conducting statecraft, but also when non-economic instruments are used against specific economic targets in wartime. In examining the different categories of economic instruments of statecraft, it is clear that sharp theoretical distinctions drawn between sanctions, strategic embargoes, cold economic warfare and economic warfare cannot be sustained when trying to explain practice. We come to understand things by experiencing change and rendering it into an explanatory form via an appropriate theoretical framework. Practice is too complicated to be captured by preconceived rigid definitions that make no allowance for change. In simple terms, trying to define sanctions in the abstract has severe limitations. However, using the term sanction in a particular context can make sense, even when it overlaps with other tactics or strategies of economic statecraft, and when it has both instrumental and expressive effects. Actors often have several motives and several objectives in mind when they impose trade controls. Both intent and effect might simultaneously involve restricting and weakening the military and economic strength of a target state, economically strengthening satellites of the main target state in order to create tensions and jealousies, enhancing a bargaining position, allowing trade with the specific aim of trying to seduce mass opinion in the opponent state, attempting to persuade it to change policy, making a moral statement, and sending complicated and different messages to the target, neutral states, allies and the sender’s own domestic constituency. In these kinds of situations a single action is a sanction, a strategic embargo, a message-sender, and an instance of cold economic warfare or economic warfare. In situations where trade is allowed or promoted and looks like normal trade from the outside, it is only by addressing intention that we can see that more is at stake than just profit and loss. If the intent is to change attitudes in the target state, then this distinguishes the trade from normal commercial transactions. However it is not just in cases where trade is allowed or promoted that we need to be sensitive to the expressive as well as the instrumental effects of trade controls. They all make statements. Sometimes they speak to a target state in a way that was not intended by the sender, but they always say something. Particularly in times of heightened tension short of war, and especially in the Cold War, the ability of economic instruments of statecraft to send messages was of great significance to American policy-makers. For much of the Cold War it was more important than the instrumental effects of trade controls.

#### “Economic” sanctions are broader than trade and finance --- inclusive list

* Travel
* Tech Transfer
* Immigration

Askari 3 – Hossein, et al, Professor of International Business at George Washington University, Case Studies of U.S. Economic Sanctions: The Chinese, Cuban, and Iranian Experience, p. 91-92

Mechanisms That Could Be Used to Implement an Economic Sanction

The distinctive characteristic of economic sanctions is that they constrain some aspect of international commerce to negatively affect another country’s economy. It is common for researchers and analysts to broadly focus on trade sanctions or finance sanctions. However, if one starts with the full range of activities and components of international commerce, the choices are much broader and richer. For instance,

1. Capital flow controls (direct investment, portfolio investment, bank credit, trade financing, bonds)

2. Asset control (asset freeze)

3. Export controls (total or selective)

4. Import controls (total or selective)

5. Commercial (trade) policy restrictions (e.g., tariffs, quotas, normal trade- relations status, most-favored-nation status)

6. Reduction of financing and other benefits from international and multilateral organizations

7. Travel restrictions

8. Restrictions on air links

9. Restrictions on technology transfer

10. Restrictions and limitations on tax credit and guarantees

11. Restrictions on foreign aid

12. Limitations on data and technical data transfer

13. Immigration (labor) controls

14. Restrictions on transfer of management expertise

Any one (or a combination) of these mechanisms could be part of an economic sanction.

#### Strict separation of “economic” from other statecraft undermines policy analysis

**Baldwin** 12 – David A., Professor of World Order Studies and Political Science at Columbia University, Handbook of International Relations, Ed. Carlsnaes, Risse, and Simmons, p. 289

*Comparative influence techniques* The instruments of statecraft - diplomatic, economic, military, and symbolic -tend to be studied separately. This is a hindrance from the standpoint of both theory and policy relevance. Without comparative research on techniques of statecraft, theorists can say little about the utility of various policy instruments. If the success rate of economic sanctions is estimated at 34%, should one conclude that policy-makers are fools for using an instrument with such a low rate of success? Or is this about the best that can be expected of any instrument of statecraft? There is little or no reliable data on comparative success rates of instruments of statecraft.

#### “Economic” engagement isn’t limited to only trade --- also includes finance and aid

Cohen 00 – Stephen D. Cohen, Professor in the School of International Service at American University, The Making of United States International Economic Policy: Principles, Problems, and Proposals for Reform, p. 4

Finally, it is critical not to make the error of equating international economic policy with its most widely recognized component, foreign trade. The former is an umbrella term encompassing many other important issue areas, such as international finance and assistance to poor countries.

### T---Econ/Diplo---Aff---Military

#### Selling military equipment is “economic” --- this is a reasonable distinction that excludes weapons use

**Baldwin** 85 – David A., Professor of World Order Studies and Political Science at Colombia, Economic Statecraft, p. 31

There are, as always, borderline cases that are hard to classify. For example, should the sale or gift of military hardware be considered as economic or military statecraft? In general, the relevant distinction is between firing (or threatening to fire) weapons and selling (or promising to sell) them. Insofar as a market price for such items exists, these transactions could reasonably be labeled economic statecraft. A plausible case could also be made for classifying them as military since some items, e.g. nuclear bombs, may have no "going market price." Also, since providing weapons is so closely related to military statecraft, some might want to treat it as such. Depending on the particular research interest at hand, one might decide to classify them either way. The existence of such borderline cases, however, does not do serious harm to the value of this concept of economic statecraft for most purposes.

### T---Econ/Diplo---Aff---Reasonability

#### Reasonability important when defining “engagement” — avoids an impossible definitional maze.

Drifte 3 — Reinhard Drifte, Professor and Chair of Japanese Studies and Director at the Newcastle East Asia Center at the University of Newcastle, 2003 (“Introduction,” *Japan's Security Relations with China Since 1989: From Balancing to Bandwagoning?*, Published by Routledge, ISBN 1134406673, p. 5-6)

The complex nature of engagement policy

The misunderstanding of the policy of engagement gives rise to considerable confusion because it obfuscates the Realist elements of engagement, i.e. the role of force to effect balancing and hedging. In order to propose remedies to perceived deficiencies of engagement, qualifying adjectives to 'engagement', or even the coinage of new words, have been proposed which make an appropriate understanding of engagement policy even more difficult. Definitions range from unconditional engagement, conditional engagement, comprehensive or constructive engagement, robust engagement, congagement, coercive engagement, to constrainment.8 The resulting definatory maze cannot fail to make the pursuit of engagement difficult at a national level, let alone in tandem with another country. In fact engagement relies as much on Realist foundations, with their deterrence and balance-of-power elements, as on Liberal foundations, which stress the positive forces of increasing international economic interdependence and integration, the spreading of international norms, the establishment of rules and institutions to regulate and enable peaceful cooperation between nations.

The power-balancing and deterrence elements in engagement policy follow the Realist teaching that war can be avoided if there is a stable power balance, but that the shift of power relations (which China drives forward through its economic and military strengthening) is particularly dangerous for the maintenance of peace. The systemic issues for hegemonic stability are how to maintain such stability and how to accommodate change. Realists will point out that multipolar systems like those in Asia are less stable than unipolar systems. The situation in Asia has been depicted as a five-power balance-of-power system, as 'ripe for rivalry', and as heading for instability.9

The following definition of engagement by Alastair Iain Johnston and Robert S. Ross probably describes best the dualistic character of this policy: 'The use of non-coercive methods to ameliorate the non-status-quo elements of a rising power's behaviour. The goal is to ensure that this growing power is used in ways that are consistent with peaceful change in regional and global order'. The authors explicitly state that amelioration of the rising power's behaviour does not seek to limit, constrain or delay the newcomer's power, nor to prevent the development of influence commensurate with its greater power.10 They attach four conditions that will make a policy of engagement effective:

1. the new rising power has only limited revisionist aims and there are no irreconcilable conflicts of interest with the established powers;

2. the established powers are strong enough to mix concessions with credible threats, i.e. a sticks and carrots policy;

3. engagement is a complement and not an alternative to balancing;

4. the established powers must live by the same principles they demand of the new rising power11

When we look carefully at this statement it becomes clear that, for the rising power, 'coercive means' must still be considered in its calculation of the [end page 5] established powers despite their goal of the non-use of 'coercive methods'. Not only is this related to the established powers' Realist objectives (i.e. balancing and hedging) vis-a-vis conceivable intentions of a rising power, but it is also, in the first instance, due to the simple fact that all the established powers, including Japan, maintain considerable military forces and are involved in military alliances to cater for a whole range of challenges to their security. The crucial issue for a correct understanding of Japan's engagement policy (and this would apply to the engagement policy of any other country) is to clarify the emphasis and the robustness with which some rather than other goals associated with engagement are pursued, as well as the mix of policy tools used; one needs to consider issues such as no unilateral use of offensive military force, peaceful resolution of territorial disputes, respect for national sovereignty, transparency of military forces, cooperative solutions for transnational problems or respect for basic human rights.12

#### Precision impossible—neg definitions undermine conceptual clarity.

Capie and Evans 7 — David H. Capie, Research Fellow and Co-Director of the Armed Groups Project in the Centre for International Relations at the University of British Columbia, and Paul M. Evans, Professor at the Institute of Asian Research and Liu Institute for Global Issues at the University of British Columbia, 2007 (“Engagement,” *The Asia-Pacific Security Lexicon*, Published by the Institute of Southeast Asian Studies, ISBN 9812307230, p. 115-116)

According to the Oxford Concise Dictionary, the noun engagement and the verb to engage have several different meanings. Among these, to engage can mean "to employ busily", "to hold a person's attention", "to bind by a promise (usually a marriage)", or to "come into battle with an enemy". The noun engagement can mean "the act or state of engaging or being engaged", an "appointment with another person", "a betrothal", "an encounter between hostile forces", or "a moral commitment". The gerund engaging means to be "attractive or charming". In the literature on security in the Asia-Pacific, engagement most commonly refers to policies regarding the People's Republic of China. However, the term has been used in many different ways leading to a great deal of confusion and uncertainty. A Business Week headline summed up the confusion: "Does 'engagement' mean fight or marry?"1

Although one of the most important and ubiquitous terms in the Asia-Pacific security discourse, engagement is generally under-theorized. Most of the literature on the term is either descriptive or prescriptive. There is little agreement about the meaning of engagement and considerable inconsistency in its use. The New York Times noted that "there are many definitions of engagement" and described it as a "moving target".2 This indeterminacy has prompted a host of scholars and officials to offer their own modified [end page 115] interpretations of engagement, for example deep engagement or conditional engagement. These, in turn, have arguably made for less, rather than greater conceptual clarity.

## Only Positive

### Only Positive---1NC

#### “Engagement” requires the provision of positive incentives

Haass 00 – Richard Haass & Meghan O’Sullivan, Brookings Institution Foreign Policy Studies Program, Honey and Vinegar: Incentives, Sanctions, and Foreign Policy, p. 1-2

The term *engagement* was popularized amid the controversial policy of constructive engagement pursued by the United States toward South Africa during the first term of the Reagan administration. However, the term itself remains a source of confusion. To the Chinese, the word appears to mean simply the conduct of normal relations. In German, no comparable translation exists. Even to native English speakers, the concept behind the word is unclear. Except in the few instances in which the United States has sought to isolate a regime or country, America arguably "engages" states and actors all the time in one capacity or another simply by interacting with them. This book, however, employs the term engagement in a much more specific way, one that involves much more than a policy of nonisolation. In our usage, engagement refers to a foreign policy strategy that depends to a significant degree on positive incentives to achieve its objectives. Certainly, engagement does not preclude the simultaneous use of other foreign policy instruments such as sanctions or military force. In practice, there is often considerable overlap of strategies, particularly when the termination or lifting of sanctions is used as a positive inducement. Yet the distinguishing feature of engagement strategies is their reliance on the extension or provision of incentives to shape the behavior of countries with which the United States has important disagreements.

#### Plan is negative pressure --- voting issue:

#### Limits --- they more than double the topic, making all of foreign policy topical --- also makes the topic bidirectional because the U.S. could increase or decrease sanctions against China --- ruins preparation because every strategy has to be written both ways

#### Ground --- coercive pressure is containment, not “engagement” --- their interpretation destroys ground because it accesses a vastly different and unpredictable literature base

Johnston 99 – Alastair Iain Johnston, Laine Professor of China in World Affairs in the Government Department at Harvard University, et al., Engaging China: The Management of an Emerging Power, Ed. Johnson and Ross, p. xiv-iv

The volume's comprehensive approach to studying engagement means that the contributors have vastly different research agendas. To encourage a common dialogue among the contributors and to facilitate the generation of a common understanding of engagement with cross-national applications, the contributors have worked within a common definition of engagement. For the purpose of this volume, engagement is defined as follows:

The use of non-coercive methods to ameliorate the non-status-quo elements of a rising major power's behavior. The goal is to ensure that this growing power is used in ways that are consistent with peaceful change in regional and global order.

In this approach, amelioration of the rising power's behavior does not include efforts to hinder the accretion of relative power. This is better understood as "containment". We have neither defined nor limited the methods of amelioration, preferring that individual authors characterize the methods used by the respective countries and/or multilateral institutions. "Non-coercive methods" include such strategies as accommodation of legitimate interests, transformation of preferences, and entanglement in bilateral and multilateral institutional constraints.

The contributors clearly differentiate engagement from containment. In contrast to containment, engagement seeks neither to limit, constrain, or delay increases in the target country's power nor prevent the development of influence commensurate with its greater power. Rather, it seeks to "socialize" the rising power by encouraging its satisfaction with the evolving global or regional order. Our definition of engagement specifically excludes coercive policies.

### Only Positive---Violation---General

#### “Engagement” is only positive inducements --- negative pressure like sanctions, coercive diplomacy, or force aren’t topical

Ikenberry 12 – G. John Ikenberry, Professor of Politics and International Affairs at Princeton University, Review of “The Logic of Positive Engagement”, Foreign Affairs, January / February, http://www.foreignaffairs.com/articles/136888/miroslav-nincic/the-logic-of-positive-engagement-cornell-studies-in-security-aff

When the United States seeks to change the behavior of rival or adversarial states, what are the available tools and strategies? In this provocative study, Nincic observes that American foreign-policy makers tend to resort to “negative pressures,” such as the use of force, coercive diplomacy, and economic sanctions. Less appreciated and less understood, Nincic argues, are the tools and strategies of “engagement,” policies that use positive inducements to alter the incentives and orientations of other states. Nincic is surely correct: policymakers know more about the use of sticks than carrots. The book seeks to explain the bias in American foreign policy toward threats and punishments and argues that it is a legacy of the Cold War, which taught politicians to worry about charges of appeasement. Nincic also sees biases in the American security-studies community, where, he claims, realist understandings of the world shift attention away from nonmilitary tools of influence. The book’s most useful contribution is to spell out how strategies of engagement and positive inducements can work, using the United States’ experiences with Cuba, Iran, Libya, North Korea, and Syria as case studies.

#### Negative pressure is “containment”, not “engagement”---especially in the context of China

Johnston 99 – Alastair Iain Johnston, Laine Professor of China in World Affairs in the Government Department at Harvard University, et al., Engaging China: The Management of an Emerging Power, Ed. Johnson and Ross, p. 133

In dealing with China, Malaysia clearly favours a strategy of engagement. As Abdullah Badawi, then Malaysia's Foreign Minister, put it in 1997, "The most important thing is engagement, not containment."2 The usage of the term "engagement" by Malaysian officials to describe its policy towards China is a recent practice. It seems to have been adapted from the debates in the West and Asia Pacific security meetings on the implications of the rise of China, debates which Malaysian officials and security specialists have followed and actively participated in. But the meaning of the term is somewhat more narrow and specific in Malaysia than in the US, especially in terms of its objectives. As with Indonesia (see Michael Leifer, Chapter 4, this volume), Malaysia does not seek to influence the domestic politics of China, keeping the focus instead on China's external behaviour. A strategy of engagement, in the sense used by the editors of this volume (see their Preface), is a deliberate policy of socialization of a rising power using non-coercive methods. Its aim is not to prevent or block the growth of the latter's influence or status, but to ensure that any change in the regional and global order caused by its ascendancy is peaceful. An engagement policy is pursued through essentially non-coercive methods. It may involve the creation of institutional constraints on the rising power's geopolitical behaviour, accommodation of its legitimate interests, and the devising of other means to transform its policies that are deemed to be destabilizing. In contrast, containment is a strategy pursued through coercive means in order to constrain a rising power, including engendering its military defeat or internal collapse.

#### “Economic engagement” is positive use of carrots instead of sticks

Mastanduno 3 – Michael Mastanduno, Government Professor at Dartmouth, The Strategy of Economic Engagement: Theory and Practice, in Edward D. Mansfield and Brian M. Pollins, eds, Economic Interdependence and International Conflict: New Perspectives on an Enduring Debate, p. 184-185

Much of the attention in political science to the question of interdependence and conflict focuses at the systemic level, on arguments and evidence linking the expansion of economic exchange among states on the one hand to the exacerbation of international conflict or the facilitation of international cooperation on the other. The approach taken in this chapter focuses instead at the state level, on the expansion of economic interdependence as a tool of state craft. Under what circumstances does the cultivation of economic ties, that is, the fostering of economic interdependence as a conscious state strategy, lead to important and predicable changes in the foreign policy behavior of a target state? Students of economic statecraft refer to this strategy variously as economic engagement, economic inducement, economic diplomacy, positive sanctions, positive economic linkage, or the use of economic “carrots” instead of sticks. Critics of the strategy call it economic appeasement.

#### Promising rewards is “engagement” --- threatening punishment isn’t

Borer 4 – Douglas A. Borer, Professor of Defense Analysis at the Naval Postgraduate School, “Problems of Economic Statecraft: Rethinking Engagement”, http://www.au.af.mil/au/awc/awcgate/army-usawc/strategy2004/12borer.pdf

Bridging the Gap in Theory and Practice: Inverse Engagement

The policy of engagement refers to the use of non-coercive means, or positive incentives, by one state to alter the elements of another state’s behavior. As such, some scholars have categorized engagement as a form of appeasement.21 However, I concur with the view articulated by Randall Schweller that, while engagement can be classified in generic terms as a form of appeasement, an important qualitative difference exists between the two: “Engagement is more than appeasement,” he says:

It encompasses any attempt to socialize the dissatisfied power into acceptance of the established order. In practice engagement may be distinguished from other policies not so much by its goals but by its means: it relies on the promise of rewards rather than the threat of punishment to influence the target’s behavior. . . . The policy succeeds if such concessions convert the revolutionary state into a status quo power with a stake in the stability of the system. . . . Engagement is most likely to succeed when the established powers are strong enough to mix concessions with credible threats, to use sticks as well as carrots. . . . Otherwise, concessions will signal weakness that emboldens the aggressor to demand more.22

#### “Engagement” cannot include punitive measures

Marashi 12 – Reza Marashi, Research Director at the National Iranian American Council, “Dealing with Iran”, The Cairo Review of Global Affairs, http://www.aucegypt.edu/gapp/cairoreview/Pages/articleDetails.aspx?aid=258

Obama’s Strategy

It should now be clear that U.S. policy has never been a true engagement policy. By definition, engagement entails a long-term approach that abandons punitive measures—the “sticks”—and reassures both sides that their respective fears are unfounded. Obama administration officials realized early on that they were unlikely to adopt this approach. Instead, after the conclusion of Obama’s policy review, a “carrot and stick” strategy similar to that of the Bush administration has been pursued. This “dual track”—as it has been referred as since January 2009—utilizes positive and negative inducements to convince Iran that changing its behavior would be its most rewarding and least harmful decision. The key difference between the Bush and Obama approach has been an effort by the latter to avoid the tactical mistakes of the former. By publicly disavowing regime change, striking diplomatic quid pro quos with key allies, and dropping preconditions to diplomacy with Iran, Obama changed tactics, but maintained an objective similar to his predecessor—making Iran yield on the nuclear issue through pressure. By changing tactics, the U.S. has managed to build a more robust consensus for international sanctions—something the Bush administration was unable to achieve.

### Only Positive---Violation---Sanctions

#### Imposing sanctions is “containment”, not “engagement”

Rock 00 – Stephen R. Rock, Professor of Political Science at Vassar College, Appeasement in International Politics, p. 22

Engagement, as typically conceived, is not a global national security strategy, but an approach to dealing with a specific state (or states) exhibiting hostile or otherwise undesirable behavior. In this more common sense of the term, "engagement" is often contrasted with "containment." Rather than confronting one’s opponent through economic sanctions or even military threats, engagement involves establishing or enhancing contacts, communication, and exchanges, especially in the commercial realm.78 This notion of engagement is articulated in those portions of A National Security Strategy of Engagement and Enlargement in which the document discusses China and certain other countries, and is the basis of America's current China policy. In fact, however, it predates the Clinton presidency. U.S. administrations from Nixon to Reagan pursued engagement with respect to South Africa and the practice of apartheid. The Bush administration did so in its approach to China before and after the shooting of pro-democracy demonstrators in Tienanmen Square.79

#### Sanctioning is not “economic engagement”

Çelik 11 – Arda Can Çelik, Masters Degree in Politics and International Studies from Uppsala University, Economic Sanctions and Engagement Policies, p. 13-14

Garzke et al,(2001)point outs that economic relations have pacifying affect on political tensions. Long term economic relations even create their own bodies and instructions thus, they do not necessitate for frequent political interactions. Regulated trade intensifies the mutual dependence and additional bodies which wants to sustain the benefits of mentioned dependence. Kroll (1993) defends that interdependence does not create a dependence out of complex political manoeuvres nor from trade. Modern state have the capacity to reach the optimum solutions for its own benefit and it has the tools to establish rational policies. Papayoanou(1997) contributes as follos; Trade generates information via institutions and those information removes the uncertainty between the states. Additionaly it establishes a trust between the parties and paves the way for additional signalling mechanisms in case of mistrust. Furthermore; Signalling measures such as additional taxations or adjusted tariffs gives a leeway for set of options before the possibility of conflict. If the country does not have 13 strong economic ties, there would be no tools for signalling mechanisms. Therefore economic engagement policies are not only different from economic sanctions but also they design the former ones from early phases. This argument has similarities with the conditionalists in a sense that economic sanctions are more effective between interdependent countries albeit it is more costly. (Kroll,1993)

#### “Sanction” refers to negative coercion --- most predictable source

Martin 13 – Michael F. Martin, Specialist Asian Affairs for the Congressional Research Service, “U.S. Sanctions on Burma: Issues for the 113th Congress”, Congressional Research Service Report, 1-11, http://www.fas.org/sgp/crs/row/R42939.pdf

Defining “Sanction”

The term “sanction” has a number of different legal meanings, depending on the context and/or circumstances in which it is being used. “Sanction” can be used to describe tacit or explicit approval, but can also be used to describe disapproval. For international matters, the word often refers to measures taken by a nation or a group of nations to coerce another nation to comply with expected conduct or behavior. These may include diplomatic measures (e.g., severing diplomatic ties), economic measures (e.g., restricting trade), or military measures (e.g., the imposition of a “no fly zone”).

### Only Positive---Violation---A2: We Meet: No Logical Distinction

#### “Incentives” are distinct from coercion---the test is that the incentive must provide something you didn’t have before the offer

De LaHunt 6 - Assistant Director for Environmental Health & Safety Services in Colorado College's Facilities Services department (John, “Perverse and unintended” Journal of Chemical Health and Safety, July-August, Science Direct)

Incentives work on a quid pro quo basis – this for that. If you change your behavior, I’ll give you a reward. One could say that coercion is an incentive program – do as I say and I’ll let you live. However, I define an incentive as getting something you didn’t have before in exchange for new behavior, so that pretty much puts coercion in its own box, one separate from incentives. But fundamental problems plague the incentive approach. Like coercion, incentives are poor motivators in the long run, for at least two reasons – unintended consequences and perverse incentives.

#### Avoiding punishment isn’t an incentive---incentives require linkage to a specific reward

**Stern 6** – Assistant Professor of Law, Loyola Chicago University School of Law (Stephanie, Fall, “Encouraging Conservation on Private Lands: A Behavioral Analysis of Financial Incentives”, 48 Ariz. L. Rev. 541, Lexis Law)

[\*548] Third, when regulations are enforced, the resulting penalties may demoralize individuals and create negative attitudes towards conservation. n34 Punishment is effective at reducing the frequency of undesirable behaviors, but may impair pro-environmental attitudes and perceptions of self-efficacy. n35 For example, if a homeowner has to pay a steep environmental fine for destroying habitat, she may generalize the negative emotions from the punishment to species protection or environmentalism generally. Indeed, the enforcement of the Endangered Species Act has resulted in a strong citizen backlash against species-protection legislation and regulation of private land. n36 Given the imperfect translation of attitudes to high-cost behaviors, anti-environmental attitudes will not necessarily prompt habitat destruction or polluting behaviors. However, negative attitudes are likely to affect political choices, such as voting against candidates who support environmental protection. Enforcement of any program, including incentives, is inevitably negative at least some of the time (i.e., an individual may perceive the removal of an expected incentive as punishment). n37 However, traditional command and control regulation is more punitive in tenor because individuals interact directly with the regulatory authority only for the purpose of punishment. In incentive programs, there are generally a large number of compliant participants whose interaction with the state is explicitly positive (i.e., the receipt of rewards).

#### Exclusive evidence---“incentives” are positive, only disincentives are negative

Veer 5 – Author of Multiple Books on Indian Affairs

(Veer, Modern Teaching of Population Education, Google Books)

**Incentives:** Incentives have been defined by Rogers as, “Direct of indirect payments in cash or in kind that are given to an individual couple, or group in order to encourage some overt behavioral change.” Incentives are offered to the individuals, couples or groups, they may be in cash or in kind. They may be immediate or differed. As a general rule incentives have been valuable indirect anti-capitalist measures. However it has been pointed out that they are unethical and seem to be an exploitation of poverty. There is ample scope for cheating and fraud. The motivational aspect is neglected. However, these deficits may be overcome.

**Disincenitves:** While incentives are positive rewards, disincentives are negative rewards. While incentives impel, disincentives restrict. The variety of disincentives may be visualized by the following disincentives provided in Singapore in 1968. (i) Couples with a large number of children would not have priority over newly-wed couples in the allocation of subsidized public housing, (ii) Under the Employment Act; no paid maternity leave would be given after the third child, (iii) The subsidized accouchement fees in Government Maternity Hospitals were modified so that higher fees were charged for higher parity confinements. Other disincentives, which came into effect on August 1, 1973, were announced by the Singapore Government in order to discourage larger families. Accouchement fees, maternity leave, priority points for public housing and income-tax relief were all adjusted to, encourage each family to have no more than two children. Disincentives have been criticized on the ground that they penalize innocent children. The population also represents them Therefore, generally they are used in exceptional cases and certainly not as much as incentives.

### Only Positive---Violation---A2: We Meet: Avoiding Punishment = Positive

#### Incentives are explicitly rewards tied to expected behavior ---their spin that “avoiding punishment” is positive doesn’t apply because the overall enforcement mechanism of the plan is punitive

Stern 6 – Assistant Professor of Law at Chicago University

(Stephanie, “Encouraging Conservation on Private Lands: A Behavioral Analysis of Financial Incentives”, Arizona Law Review, Fall 2006, 48 Ariz. L. Rev. 541, Lexis)

[\*548] Third, when regulations are enforced, the resulting penalties may demoralize individuals and create negative attitudes towards conservation. n34 Punishment is effective at reducing the frequency of undesirable behaviors, but may impair pro-environmental attitudes and perceptions of self-efficacy. n35 For example, if a homeowner has to pay a steep environmental fine for destroying habitat, she may generalize the negative emotions from the punishment to species protection or environmentalism generally. Indeed, the enforcement of the Endangered Species Act has resulted in a strong citizen backlash against species-protection legislation and regulation of private land. n36 Given the imperfect translation of attitudes to high-cost behaviors, anti-environmental attitudes will not necessarily prompt habitat destruction or polluting behaviors. However, negative attitudes are likely to affect political choices, such as voting against candidates who support environmental protection. Enforcement of any program, including incentives, is inevitably negative at least some of the time (i.e., an individual may perceive the removal of an expected incentive as punishment). n37 However, traditional command and control regulation is more punitive in tenor because individuals interact directly with the regulatory authority only for the purpose of punishment. In incentive programs, there are generally a large number of compliant participants whose interaction with the state is explicitly positive (i.e., the receipt of rewards).

### Only Positive---Limits Impact

#### Unlimits --- the number of potential sanctions is huge

Magaisa 9 – Dr. Alex T. Magaisa, Lawyer Specialising in Economic and Financial Services Law and Columnist for the Zimbabwe Independent Newspaper, “Zimbabwe: Sanctions, the Economy and Democratic Process”, 11-12, http://www.newzimbabwe.com/pages/magaisa6.13113.html

The theoretical basis of sanctions is that they compel the government of the target country to change its approach in relation to certain problematic issues. In recent years sanctions have been variously used against a number of states for allegedly violating human rights. It is believed that the pressure of sanctions would compel the government to change its conduct and attitude towards certain issues – that the loss of certain privileges could persuade or force them to change their ways. Alternatively, though this aim is less pronounced, the effect of sanctions might cause the citizens to demand change from their government. There are a number of types of sanctions – economic, diplomatic, etc. In recent years there has been increasing use of targeted sanctions also known as “smart” sanctions– whereby certain individuals or organisations within a country are specifically targeted using for example, travel bans, asset-freezing, etc.

#### Distinguishing positive from negative sanctions is the only way to prevent an overly broad topic

Delevic 98 – Milica Delevic, Assistant Foreign Minister in Charge of European Integration for Serbia, “Economic Sanctions as a Foreign Policy Tool: The Case of Yugoslavia”, The International Journal of Peace Studies, 3(1), http://www.gmu.edu/programs/icar/ijps/vol3\_1/Delvic.htm

Economic statecraft, as defined here, is intentionally broad, since it has to include all economic forms of influence. However, the distinction can be made between negative sanctions (withholding economic advantages) and positive sanctions (offering economic benefits), as well as trade and financial sanctions. For the purposes of this study, using the case of Yugoslavia, economic sanctions will be used to describe the technique of economic statecraft that withholds economic advantages through either trade or financial restrictions.

### Only Positive---Ground Impact

#### Their interpretation ruins ground --- changes links to politics, trade, and perception DAs

Cortright 00 – David Cortright, Director of Policy Studies at the Kroc Institute for International Peace Studies at the University of Notre Dame and Chair of the Board of the Fourth Freedom Forum, “Positive Inducements in International Statecraft”, June, http://oldfraser.lexi.net/publications/forum/2000/06/section\_05\_full.html

Comparing Incentives and Sanctions

There are many differences between sanctions and incentives that point to the advantages of an incentives-based strategy. One important difference between the two concerns relative costs. In narrow accounting terms, a sanction is not a cost. When countries impose an embargo on an offending state, this does not show up as a line item in the national budget. As a result, some policy makers naively consider economic sanctions a kind of foreign policy on the cheap. In reality sanctions impose significant costs on private companies and local communities. Because these losses do not appear as specific government expenditures, however, they are easily overlooked by political leaders. By contrast, foreign assistance, loan guarantees, and other forms of financial aid are listed as specific budgetary allocations, which can make them easy targets for budget cutters, especially in an era of fiscal austerity. On the other hand, trade preferences and technology incentives appear to be relatively cost free to governments and have become a favorite tool of economic statecraft. Trade incentives have the benefit of opening up new opportunities for commerce that can benefit domestic constituencies. Whereas sanctions impose costs on particular industries and communities, trade incentives can bring benefits to these groups. As a result, domestic constituencies in the sender state may gain a stake in maintaining trade preferences and provide political support for sustaining the incentives policy. As noted earlier, incentives can create similar dynamics within the recipient country. In contrast with sanctions, which cause hardships for both sender and recipient, trade incentives bring benefits to both. They are a classic win-win proposition.

An important advantage of incentives is that benefits can be designed and targeted to ameliorate the root causes of conflict. Whether the primary needs are economic, political, or security-related, inducement strategies can be packaged and delivered to meet those needs and lessen the likelihood of conflict. In the case of Ukraine, security assurances were added to the package of economic benefits offered to Kiev as a way of addressing concerns about Ukrainian vulnerability vis-à-vis Russia. This targeting of resources to meet specific political objectives is an important way in which incentives differ from sanctions. Whereas sanctions take away resources or deny benefits to contending parties, incentives add resources. When these rewards are targeted strategically to address the sources of conflict, their effectiveness is enhanced.

Incentives also differ from sanctions in their relation to market forces. When incentives are offered, there is no natural tendency, as with sanctions, for black marketeers or third-party actors to step in and circumvent trade restrictions. As Eileen Crumm observes, “Where market forces work against negative sanctions, they can reinforce positive ones.” Many scholars have noted that economic sanctions generate countervailing pressures that can undermine the effectiveness of such measures. A tightly enforced embargo will raise the price of imports in the target country and in the process create powerful motivations for cheating. By contrast, an offer of incentives such as foreign assistance or concessionary loans will not create market pressures for another party to do likewise. Competing offers of assistance may result from political motives, but they are not generated by market forces. During the cold war the United States and the Soviet Union vied to provide incentive offers, but such competition is less likely now. Positive incentives work in harmony with the natural forces of the market and thus have a significant economic advantage over negative sanctions.

Sanctions and incentives also have differing impacts on international trade and the prospects for economic cooperation. One of the most significant, some would say most hopeful, characteristics of the post-cold war world has been the widespread expansion of free markets and the substantial increase in international commerce. Richard Rosecrance has spoken of “the trading state” phenomenon as a powerful antidote to war and armed conflict. Expanding trade and economic interdependence can establish the foundations of peace and international cooperation. The use of economic sanctions runs counter to this trend. Peter van Bergeijk argued that the great use of negative sanctions threatens the expansion of trade, thereby weakening the incentive for political cooperation that comes with increasing economic interdependence. By contrast, positive measures encourage trade and international cooperation and thereby contribute to the long-term prospects for peace. Incentive policies provide a basis for long-term cooperation and understanding and create the foundations for international stability.

Perhaps the greatest difference between sanctions and incentives lies in their impact on human behavior. Drawing on the insights of behavioral psychology, Baldwin identified key distinctions between the two approaches. Incentives foster cooperation and goodwill, whereas sanctions create hostility and separation. Threats tend to generate reactions of fear, anxiety, and resistance, whereas the normal responses to a promise or reward are hope, reassurance, and attraction. Threats send a message of “indifference or active hostility,” according to Baldwin, whereas promises “convey an impression of sympathy and concern.” Incentives tend to enhance the recipient's willingness to cooperate with the sender, whereas negative measures may impede such cooperation. Roger Fisher argued that “imposing pain may not be a good way to produce a desired decision” or to influence another's actions. Whereas threats and punishment generate resistance, promises and rewards tend to foster cooperation.

These differences have important implications for the conduct of political communications. One of the drawbacks of sanctions is that they close off channels of commerce and interaction, which can intensify misunderstanding and distrust. Inducement strategies do not carry this burden. Because incentives create less resentment and obstinacy in the recipient, communication is clearer and more precise, and negotiations are more likely to succeed. Punitive measures may be effective in sending a message of disapproval, but they are not conducive to constructive dialogue. Whereas sanctions may generate communications gridlock, incentives open the door to greater interaction and understanding.

### Only Positive---Topic Education Impact

#### Only positive carrots are “engagement” --- conceptually distinguishing the practice from “containment” is vital to policy analysis and topic education

Pernaa 7 – Emilia Pernaa, MA Candidate in Political Science at Lund University, “Catering Sticks and Carrots for the Global Security: Comparing the EU and the US Non-Proliferation Strategies”, http://lup.lub.lu.se/luur/download?func=downloadFile&recordOId=1324375&fileOId=1324376

3 World of Statecraft

The foreign policy actors can not have external political impact without means. Statecraft is used here to describe ways of conducting foreign affairs of a state. Generally it refers to the very selection of means for the pursuit of foreign policy, i.e. actions taken in order to change the policies of other states (Baldwin 1985:8f). In order to study different strategies in approaching global problems, the different statecraft at hand have to be evaluated and analysed, whether their use can lead to the wanted outcomes (ibid). In this paper the concept of statecraft will be understood in similar manner, and the usefulness will be discussed and analysed later on with the different cases and strategies studied.

When attempting to influence, actors may choose from a variety of means. I am comparing the effectiveness of four accepted techniques of foreign policy; propaganda, diplomacy, economic power and military means3 (ibid:12ff). Additionally, I add a fifth accepted form of foreign policy technique, structural statecraft, referred to as ‘leading by example’ in the EU discourse4.

After presenting different means of statecraft, I divide them into two groups, engaging and containment strategies, depending on their positive (carrots) or negative (sticks) nature, where the term strategy refers to a more long term plan of action. By so doing I aim creating a simplistic analytical tool to study actors strategies in empirical cases. A division into engaging and containment is needed in order to see the differences in the general strategy and effectiveness.

Before moving on, an introduction of coming chapters can be of help: as the structural power can be seen as a non-threatening and cheap tool of power, means such as economic pressure and intervention involve a larger amount of threat and punishment (Holsti 1995:118), whereas military statecraft is considered as the most expensive tool. However, at least economic and diplomatic statecraft can be used as positive as well as negative foreign policy instruments, for which reason a more careful definitions and taxonomies within the statecraft should be made.

### Only Positive---Predictability Impact

#### Most predictable---U.S. officials and diplomats define “engagement” to exclude negative pressure

Suettinger 4 – Robert L. Suettinger, Nonresident Senior Fellow in the Foreign Policy Studies Program and an Affiliated Fellow of the Center for Northeast Asian Policy Studies at the Brookings Institution, Beyond Tiananmen: The Politics of U.S.-China Relations, 1989-2000, p. 438

Engagement, Communication, and Management

Ever since the earliest days of diplomatic relations, but especially since the events of June 4,1989, American officials and diplomats have generally used the term "engagement" to describe the U.S. policy approach to China. Usually it is preceded by adjectives, such as "comprehensive, constructive, principled, enhanced, or broad," but that has not made the approach any clearer. "Engagement," when it is described at all, is usually defined by what it is not, namely, not containment, isolation, punishment, or military pressure. Usually, it implies the conduct of high-level meetings with Chinese officials. This absence of definitional clarity has led to problems on both sides. In the United States, it left an uncertain hierarchy of goals and enabled different bureaucracies to pursue their own sometimes conflicting agendas under the rubric of a single policy framework.46 China's understanding of the U.S. approach was complicated by the fact that the Chinese language lacks a precise translation for the term "engagement," or an appreciation of its often implied nuance. But there is a more important difference. As put by Wang Jisi, one of China's most prominent America watchers, "Americans often regard high-ranking official engagements as opportunities to 'solve problems' that are otherwise difficult to discuss, whereas Chinese officials usually attach more 'symbolism' to such opportunities. In Chinese eyes, high-level consultations, if they are to take place, serve as a thermometer measuring the atmosphere in which substantive issues can be discussed, and as an indication of a spirit of equality and goodwill."47

### Only Positive---Topical Version Trick\*

#### “Engagement” must be primarily positive --- this solves their offense because they can include *some* negative pressure, but guarantees a general link direction for disads

Pernaa 7 – Emilia Pernaa, MA Candidate in Political Science at Lund University, “Catering Sticks and Carrots for the Global Security: Comparing the EU and the US Non-Proliferation Strategies”, http://lup.lub.lu.se/luur/download?func=downloadFile&recordOId=1324375&fileOId=1324376

3.2 Engagement and Containment

Now that we have defined the multiple options that the governments consider as tools of foreign policy, we have to reduce these different means into different categories on the basis whether they are engaging or punitive means, i.e. positive or negative strategies towards the proliferators.

As Baldwin claims, the selection of a particular taxonomy is not just a purely arbitrary undertaking, but should be done according to some specified criteria (1985:12). Here, a taxonomy based on the positive and negative foreign policy means is used. Thus, in order to make a comparative research of how the foreign policy of the EU and the US is exercised in a set of cases, we need to first know what to compare (statecraft) and second, how to organise the results (strategy).

3.2.1 Strategy of Engagement

The term engagement has been understood in a rather multiple manner. It can be understood as opposite to isolation, as a general interaction between two states. Here I will use the term of engagement to some extent in line with the definition of Haass and O’Sullivan. Thus, the term engagement is understood as a positive foreign policy strategy, which depends to a significant degree on positive incentives to achieve its objectives. However, the engaging strategy does not preclude the simultaneous use of negative instruments, such as sanctions or military force, but in order to be understood as engaging strategy the use of positive incentives should play leading role (2000:2). Thus, the term engagement is seen in a positive light, referring to constructive efforts in order to engage the country in case to the international community. Even though some negative means might be used to some extent by side of the engaging strategy, engagement means generally a conflict preventing approach which can be understood as tension reduction, conciliation, appeasement and incentives and use of positive methods to cooperate with proliferators (Baldwin 1985:111).

Whereas the economic statecraft such as incentives like trade agreements or lifting the sanctions are probably one of the most tangible engagement efforts, diplomatic statecraft can be considered as an engaging strategy as given in the form of diplomatic recognition and efforts of negotiating common interests (O’Sullivan 2000:5f). In the case of structural statecraft engagement is seen to base on legitimate policies, following the norms of the international system.

### Only Positive---Aff

#### “Engagement” includes negative pressure

Singh 12 – Robert Singh, Professor of Politics at Birkbeck College, Barack Obama's Post-American Foreign Policy: The Limits of Engagement, Google Books

The cumulative result of the shifting international order meant that renewing US leadership in an increasingly multi-polar - or even, as Richard Haass termed it, non-polar25 - international order required an intelligent and imaginative approach by the incoming administration. Obama's response was to emphasize a pragmatic but nonetheless ambitious international strategy that attended carefully to a new era of limits on unilateral US power while simultaneously devoting substantial resources to rebuilding America's faltering domestic base. The term most commonly invoked over 2009-12 to define Obama's foreign policy was strategic "engagement." The National Security Strategy (NSS) document of May 2010 defined engagement rather broadly as "the active participation of the United States in relationships beyond our borders."26 A more precise definition might be "persuasion": employing positive and negative inducements to convince or cajole others to change their behavior, as their most rewarding or least harmful course of action. (Although, technically, a "pure" policy of engagement would abandon negative inducements or threats altogether,2? the terms "engagement" or "strategic engagement" will be used here to cover both variants.)

#### Positive/negative distinction is arbitrary and subjective

**Baldwin** 71 – David A., Professor of World Order Studies and Political Science at Columbia University, “The Power of Positive Sanctions”, World Politics, 24(1), http://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20(1971)%20The%20Power%20of%20Positive%20Sanctions.pdf

II. THE CONCEPT OF POSITIVE SANCTIONS

Positive sanctions are defined as actual or promised rewards to B; negative sanctions are defined as actual or threatened punishments to B. Although these definitions appear simple enough, there are both conceptual and empirical difficulties in distinguishing between positive and negative sanctions. Some things take the form of positive sanctions, but actually are not: e.g., giving a bonus of $100 to a man who expected a bonus of $200, or promising not to kill a man who never expected to be killed in the first place. Likewise, some things take the form of negative sanctions, but actually are not: e.g., a threat to cut by $100 the salary of a man who expected his salary to be cut by $200, a threat to punch in the nose, next week, a man who knows he will be hanged at sunrise, or the beating of a masochist. Is with-holding a reward ever a punishment? Always a punishment? Is withholding a punishment ever a reward? Always a reward? The answers depend on B's perceptions of the situation.20

In order to distinguish rewards from punishments one must establish B's baseline of expectations at the moment A's influence attempt begins.2' This baseline is defined in terms of B's expected future value position, i.e., his expectations about his future position relative to the things he values. Positive sanctions, then, are actual or promised improvements in B's value position relative to his baseline of expectations.

Negative sanctions are actual or threatened deprivations relative to the same baseline. Whereas conceptual establishment of B's baseline is vital but not difficult, empirical establishment of the baseline is both vital and difficult.

Three pitfalls await those who would distinguish the concept of positive from that of negative sanctions. The pitfalls concern B's perceptions, time, and conditional influence attempts. As Bachrach and Baratz have reminded us, explanations of power relations should specify from whose point of view the situation is being viewed.22 In any given power relationship, A may perceive himself as employing carrots, while B may perceive A as using sticks. Although many Americans perceive their foreign aid program in terms of positive sanctions, many recipients perceive it differently. There is also a danger that the outside observer, i.e., the political scientist, will substitute his own baseline for that of B, e.g., "if someone gave me a million dollars, I would regard it as a reward.

The second pitfall concerns time and is illustrated by Dahl's discussion of positive coercion. After defining power in terms of negative sanctions, he observes that substantial rewards can be made to operate in the same way: "For if . . . [B] is offered a very large reward for compliance, then once his expectations are adjusted to this large reward, [they] he suffers a prospective loss if [they] he does not comply."23 The italicized words indicate that time is not being held constant. Only after B's expectations are adjusted, does he perceive withholding the reward as coercive. What Dahl has done here is to use two different baselines. In referring to negative sanctions, he uses the baseline existing at the moment of A's influence attempt, while his references to positive sanctions use the new baseline after B has taken account of A's influence attempt. Since the purpose of A's influence attempt is to shift B's baseline, i.e., to cause B to change the expected values associated with doing X, Dahl's treatment tends to conceal the dynamics of the influence process. In distinguishing carrots from sticks one must be careful to specify not only B's baseline of expectations, but also the point in time at which that baseline was established.

It is important, however, to recognize that the baseline changes over time. Today's reward may lay the groundwork for tomorrow's threat, and tomorrow's threat may lay the groundwork for a promise on the day after tomorrow. Thomas Schelling's24 discussions of "compellent threats" could be improved by recognition of this fact. The threat that compels, he says, often takes the form of administering the punishment until B acts, rather than if he acts.25 To call such a conditional commitment to withdraw punishment a "threat" is counter to both common usage and the analysis presented above. Such situations could be more usefully described as ones in which A uses a negative sanction (the punishment) to lay the groundwork for the subsequent use of positive sanctions (the promise to withdraw the punishment if B complies). What A is doing in such situations is using the stick to shift B's baseline so as to make the subsequent promise of a carrot more attractive. A's offer to stop tipping the boat if B will row is unlikely to be perceived by B as a carrot unless A is actually tipping the boat at the time the offer is made. A tips the boat in order to shift B's expectation baseline, so that B will perceive the offer to stop tipping the boat as a reward. In his discussions of compellent threats Schelling blurs the distinction between positive and negative sanctions. Indeed, he turns the time sequence usually associated with threats around, so that a conditional commitment to punish and a conditional commitment to stop punishing are both called threats. Common usage, however, suggests a difference between offering to pull a thorn out of B's foot and a threat to stick a thorn in.

The third pitfall is associated with conditional influence attempts, i.e., those in which A conditionally commits himself to reward or punish B for compliance or noncompliance.26 The problem is that it seems to be easier to distinguish rewards from punishments than to distinguish promises from threats. The possibility that withholding a reward may be regarded by B as a punishment tempts one to regard threats and promises as two sides of one coin. The argument runs as follows: "An unconditional commitment by A to reward (or punish) B regardless of whether he does X or not is not a promise (or threat). Thus, a promise to reward if B complies must imply a threat not to reward if B fails to comply. Likewise, a threat to punish B for non- compliance must imply a promise not to punish for compliance. Thus, all threats imply promises and all promises imply threats; they are simply different ways of describing the same conditional influence attempt." An implicit assumption along these lines may explain why so few political scientists bother to distinguish between threats and promises. An explicit example of such reasoning is found in Schelling's Strategy of Conflict.27 After considering several definitions and after admitting that the distinction between a threat and a promise is not obvious, he finally concludes that threats and promises are merely "names for different aspects of the same tactic of selective and conditional self-commitment."

#### Economic sanctions can be positive---most precise definition

Amstutz 8 – Mark R. Amstutz, Professor of Political Science at Wheaton College, International Ethics: Concepts, Theories, and Cases in Global Politics, p. 176

Economic sanctions are a particular type of statecraft used to advance foreign policy goals. According to David Baldwin, sanctions are "influence attempts" in which states seek to exert power over other international actors—that is, to get them to do what they otherwise would not do.4 The major difference between economic statecraft and military statecraft does not lie in the level of coercion or destructiveness involved hut in the nature of the tools used: Military statecraft relies on force to influence other states (through rewards or punishment) whereas economic statecraft relies on economic instruments.

Strictly speaking, economic sanctions can involve positive incentives ("carrots") designed to induce or reward desirable behaviors, or negative actions ("slicks") designed to punish actors for illegal or undesirable behaviors, to deter unwanted behaviors, and to compel desired political change. According to the logic of positive sanctions, an effective way to influence the behavior of other states is to provide economic-rewards, such as an increase in foreign aid, the expansion of foreign loans at concessionary rates, or the granting of preferential trade treatment. By contrast, the logic of negative sanctions assumes that the most effective way to deter unwanted actions or to compel behavioral change is through the imposition of economic penalties. These sanctions might range from modest actions, such as selected quotas, limited tariff increases, or the reduction ol foreign aid. to more extreme measures, such as a freeze of foreign assets, a halt of foreign investment, a ban on technology transfers, or a total economic blockade. Although some scholars have suggested that positive sanctions are much more likely to induce behavioral change than threats or punishment, negative sanctions have been used more commonly in contemporary' international relations than have positive inducements.'' Because most economic sanctions are negative in character, the discussion here is limited to this type of statecraft.

#### Positive action is also coercive---their author agrees

**Baldwin** 71 – David A., Professor of World Order Studies and Political Science at Columbia University, “The Power of Positive Sanctions”, World Politics, 24(1), http://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20(1971)%20The%20Power%20of%20Positive%20Sanctions.pdf

POLITICAL science has made valuable contributions to the progressive clarification of the concept of power since World War II. In view of the attention political scientists have traditionally lavished on the concept of power, it seems fitting that they should help clarify it. Thanks to the efforts of such men as Harold Lasswell and Robert Dahl, many political scientists today are keenly aware of the need to define power in relational terms, to distinguish power relations from power resources, to specify scope, weight, domain, and so on.' There is, however, one distinction that is rarely considered by political scientists-that between positive and negative sanctions. The purpose of this paper is to clarify this distinction and show how and why it matters. It is not that political scientists have said wrong things about the role of positive sanctions in power relations; it is just that they have said little.2 Most of their discussions of power have focused on severe negative sanctions. Can one influence more flies with honey than with vinegar? Can one influence more Vietnamese with economic aid than with napalm? The literature of political science not only gives few clues to the answers, it often implies that such questions are not even worth asking. Dahl recognizes but understates the problem: "The existence of both negative and positive coercion is sometimes a source of confusion in political analysis, since writers often either confound the two or ignore positive coercion."'

#### Sanctions include positive incentives

International Encyclopedia of the Social and Behavioral Sciences 1 – “Sanctions in Political Science”, http://www.krivda.net/books/-international\_encyclopedia\_of\_the\_social\_and\_behavioral\_sciences\_10\_-\_sanctions\_in\_political\_science\_41

A sanction is an action by one actor (A) intended to affect the behavior of another actor (B) by enhancing or reducing the values available to B. Influence attempts by A using actual or threatened punishments of B are instances of negative sanctions. Influence attempts by A using actual or promised rewards to B are instances of positive sanctions. Not all influence attempts involve sanctions. Actor A may influence actor B by reason, example, or the provision of information without the use of sanctions.

#### Positive and negative sanctions are conceptually indistinct

Crawford 93 – Beverly Crawford, Director of Research at the Center for German and European Studies at the University of California, Berkeley, Economic Vulnerability in International Relations: The Case of East-West Trade, Investment, and Finance, 1970-1990, p. 65

Exporters attempt to influence importers' intentions within the dependent relationship through the exercise of both positive and negative sanctions.53 Positive sanctions are actual or promised rewards for compliance with exporter's demands; negative sanctions are actual or threatened punishments for noncompliance. These concepts shade into one another because withholding a reward can also be regarded as a punishment. Each day of Soviet oil deliveries to Cuba was a promise that there will be deliveries the next day if Cuba complied with Soviet policy. Implied in that promise, however, is the threat that the Soviet Union would cut off Cuba's lifeline if the Cuban government deviated from Soviet demands.

## Single Products

### Single Products

#### “Economic” engagement broadly establishes the framework for individual transactions --- targeting specific exports/imports makes the plan “commercial”

Woolcock 13 – Stephen Woolcock, Lecturer in International Relations at The London School of Economics, and Sir Nicholas Bayne, Fellow at the International Trade Policy Unit of the London School of Economics, The Oxford Handbook of Modern Diplomacy, p. 387

Before suggesting some ways in which economic diplomacy could be seen as a distinct branch of diplomacy it is helpful to limit the scope of the term by saying what it is not. Our definition of economic diplomacy does not include the use of economic leverage, either in the form of sanctions or inducement, in the pursuit of specific political or strategic goals. This we would define as sanctions or perhaps economic statecraft.2 Economic diplomacy is about the creation and distribution of the economic benefits from international economic relations. Clearly political and strategic interests will be a factor in economic negotiations, whether in terms of promoting a liberal, capitalist world order or in choosing negotiating partners tor trade agreements. 'I he conclusion of a trade or economic agreement can be seen as a means of promoting economic stability, growth, and employment and thus political stability in a country, such as in the countries of North Africa that have undergone reform since the spring of 2011. But the means remain the economic agreement, the substance of which will be shaped by a range of domestic sectoral and other interests. In other words, political objectives will not infrequently be a factor in decisions to initiate negotiations, but the concrete agenda, content, and conduct of the negotiations will be largely determined by economic factors and interests. We include international environment negotiations in our definition of economic diplomacy because of the close interdependence between economic and environmental objectives. By extension we also see economic diplomacy as an integrated part of a grand strategy combining political, military, and economic relations.

Nor does our definition of economic diplomacy include the promotion of exports or investment, whether outward or inward. While governments have always intervened to promote their national industries, there has been a trend towards more active involve­ment of foreign services or even diplomatic services in seeking markets for national companies in recent decades.\* This differs from more traditional industrial policy or mercantilist trade policies. As traditional forms of intervention such as tariffs, subsidies, and other instruments that used to promote national champions have been disciplined by WTO and other trade regimes, governments have used diplomatic links, trade fairs, or visits of heads of state to promote commercial interests. Such activities are better cap­tured by the term commercial diplomacy, which contrasts with economic diplomacy; the latter facilitates trade and investment by establishing the framework of rules and disciplines within which markets and such commercial diplomacy function.4

#### “Commercial” and “economic” engagement are conceptually distinct --- the plan’s only commerce

Vickers 12 – Dr. Brendan Vickers, Research Associate on Global Economy and Development at the Institute for Global Dialogue, South African Foreign Policy Review, Volume 1, Ed. Landsberg and Van Wyk, p. 112-113

Conceptually, it is also possible to distinguish between 'economic' and 'commercial' diplomacy or, in another sense, the 'high' and 'low' politics of a country's international economic relations. In this chapter, economic diplomacy refers to the ways and means by which the South African government formally negotiates South Africa's place in the world economy at bilateral, regional and multilateral levels. Economic diplomacy has clear political economy objectives such as increasing the country's relative power or influence in international bargains: improving the country's (or an industry's) competitive advantage relative to others; and using political tools to achieve economic ends, and vice versa. Economic diplomacy thus encapsulates global policy-making processes, for example, in the United Nations Conference on Trade and Development (UIMCTAD). the World Trade Organization (WTO), the World Intellectual Property Organization (W1PO); as well as regional economic policymaking In the African Union <AU), the Southern African Development Community (SADC) and the Southern African Customs Union (SACU).a

South Africa's economic diplomacy agenda comprises four core policy imperatives: to expand trade and Investment links in Africa and advance regional integration in Southern and Eastern Africa: to consolidate links with traditional trade and investment partners in the North: to build industrial complementarities with the dynamic emerging economies of the South; and to rebalance global trade rules in favour of developing countries through the VVTO's Doha Round negotiations/'

By contrast, commercial diplomacy entails a narrower set of activities that include export development and export promotion, facilitating inward and outward foreign direct investment (FDI), promoting technology sharing and cooperation, positioning South Africa as a preferred tourism destination, and marketing South Africa more widely abroad. The objective of commercial diplomacy is to support South African business to gain tangibly from the opportunities created by broader economic diplomacy processes.1

#### “Economic” engagement uses economic means for specific foreign policy objectives --- merely altering trade is “commerce”

Saner 3 – Dr. Raymond Saner, Professor in Organization and International Management at the University of Basle, “International Economic Diplomacy: Mutations in Post-modern Times”, Discussion Papers in Diplomacy, p. 12-13

Efforts by specialised Ministries to conduct policy related international negotiations and to influence the structure and mechanisms of global governance have eclipsed the previous prominence of MOFAs in economic and trade arenas. The rise of this non-traditional genre of multi-ministry international diplomacy is for instance apparent in Genera where many industrialised countries' Embassies to the WTO are staffed by a greater number of officials than is the case at their bilateral Embassies to Switzerland in Berne. The greater number of staff is mostly due to the ever increasing number of non-MOFA diplomats and government officials. Economic diplomacy conducted by MOFA or other government ministry officials has been defined as follows:

Economic diplomacy is concerned with economic policy issues, e.g. work of delegations at standard setting organisations such as WTO and BIS. Economic diplomats also monitor and report on economic policies in foreign countries and give the home government advice on how to best influence them. Economic Diplomacy employ's economic resources, either as rewards or sanctions, in pursuit of a particular foreign policy objective. This is sometimes called "economic statecraft"."

Governments are also keen to support national economic development by providing support to their own enterprises for instance in the form of export advice, legal assistance, export incentives and backstopping when needed. Such support includes helping national enterprises establish subsidiaries in other markets. At the same time, their function can also include the provision of support to foreign enterprises interested in investing in the respective country.

Commercial diplomacy on the other hand describes the work of diplomatic missions in support of the home country's business and finance sectors in their pursuit of economic success and the country's general objective of national development. It includes the promotion of inward and outward investment as well as trade. Important aspects of a commercial diplomats' work is the supplying of information about export and investment opportunities and organising and helping to act as hosts to trade missions from home. In some cases, commercial diplomats could also promote economic ties through advising and support of both domestic and foreign companies for investment decisions.

#### “Economic” engagement covers general trade and financial policy, not specific export or import decisions

Ruël 12 – Huub Ruël, Senior Lecturer/Senior Researcher in International Management at the University of Twente, and Lennart Zuidema, MSc degree in Business Administration from University of Twente, “Commercial Diplomacy: A Survey Among Dutch Embassies and Consulates”, Discussion Papers in Diplomacy, No. 123, March, http://www.clingendael.nl/sites/default/files/20120504\_cling\_research\_artikel\_discussionpaperindiplomacy\_123\_ruel\_and\_zuidema.pdf

Commercial diplomacy defined

Commercial diplomacy is often confused with economic diplomacy6 and other types of diplomacy such as trade diplomacy and financial diplomacy. 7 Economic diplomacy is concerned with general economic policy issues and trade agreements8 Even though both have an overarching economic objective,9 commercial diplomacy is much more specific. Mercier (2007) and Kostecki & Naray10 (2007) both recognize that the term commercial diplomacy is often used to cover two different types of activities: policy-making and business support. While many agree that the core of commercial diplomacy focuses on the specific business support,11 many of the proposed definitions by various authors differ.

Potter, for instance, defines it as “the application of tools of diplomacy to help bring out specific commercial gains through promoting exports, attracting inward investment, and preserving outward investment opportunities, and encouraging the benefits of technological transfer”.12

Lee13 defines it as “the work of a network of public and private actors who manage commercial relations using diplomatic channels and processes”. This definition suggests that both private and public actors conduct commercial diplomacy. Saner & Yiu14 have noted that when commercial diplomacy is conducted by private actors, it is called corporate or business diplomacy. Consequently, private actors should preferably be excluded from the definition of commercial diplomacy. Finally, Naray defines it as “an activity conducted by public actors with diplomatic status in view of business promotion between a home and a host country. It aims at encouraging business development through a series of business promotion and facilitation activities”.15

These activities are performed by members of foreign diplomatic missions, their staff, and other related agencies.16 This notion slightly contradicts the definition offered by Naray, as it only focuses on those public actors who possess diplomatic status, whereas in our view the regular staff can also conduct commercial diplomacy. Having taken this consideration into account, (i.e. those actors without diplomatic status) Naray’s definition will be used in this paper.

Commercial diplomacy centers around a series of activities in order to promote and facilitate international business. These activities have been identified and classified by numerous researchers. Naray distinguishes six types of activities: intelligence, referral, communication, advocacy, coordination, and logistics. He relates these activities to specific areas such as markets and goods or intellectual property rights. Country image building, export support services, marketing, and market research and publications are other activities that belong to commercial diplomacy, according to Lederman, Olarreaga and Payton.17 In contrast to the former activities identified by Naray, the ones identified by Lederman et al. are focused on a more general country level. Kostecki and Naray18 distinguish between support activities of commercial diplomacy and primary activities of commercial diplomacy. The support activities, which include intelligence, networking and public relations, contract negotiations, and problem solving, provide the input for primary activities: trade promotion, promotion of FDI, science and technology cooperation, promotion of tourism, and national business community advocacy.

Interestingly, Kotabe and Czinkota19 only distinguish between export service programs and market development programs. The former focuses on export counseling and advice. The latter identifies market opportunities. Potter20 adds the distinction of broader-in and broader-out activities. Broaderin activities are carried out by domestic actors and aim at preparing firms to do business across borders. Broader-out activities are carried out by actors at foreign posts and focus on market development. It appears that broader-out activities deliver the most value since they are carried out in a host country. Preparing firms to do business in a foreign country can be achieved more easily by domestic actors. Lee21 divides the broader-out activities into three main categories. She distinguishes gathering and dissemination of market information, development and introduction of government relations, and promotion of home country products and services by means of trade fairs, lobbying, and organizing seminars.

As the aforementioned classifications differ, systematically clustering can lead to the following most important activities of commercial diplomacy: (1) intelligence, and (2) assistance with fairs, trade missions, and networking, (3) problem solving and assistance with trade disputes, and (4) partner search and negotiation. The first activity comprises information search and dealing with business inquiries, the second activity includes organizing business and export promotion events, the third activity is about advising in cases where businesses face problems with creditors, contract disputes, or market access issues, and the fourth activity deals with bringing together business partners from home and target countries.

#### Removing selective restrictions on specific goods isn’t “economic” because it doesn’t broadly affect economic life

Davidsson 3 – Elias Davidsson, Human Rights Researcher and Activist, Reporter for the Arab American News, Contributing Editor for Global Research, “The Mechanism of Economic Sanctions: Changing Perceptions and Euphemisms”, November, www.aldeilis.net/english/attachments/2877\_econsanc-debate.pdf‎

“Economic sanctions”, a mode of coercion in international relations resuscitated in recent years, has prompted renewed and lively scholarly interest in the subject. Why have such measures become so popular? One answer is that they “constitute a means of exerting international influence that is more powerful than diplomatic mediation but lies below the threshold of military intervention”[1]. Another answer is that “they engage comparatively less internal political resistance than other candidate strategies [...]. They do not generate sombre processions of body bags bringing home the mortal remains of the sons and daughters of constituents”[2], in other words, they cost little to the side imposing the sanctions. The notable predilection by the United States for economic sanctions [3], suggests that such a tool is particularly useful for economically powerful states that are themselves relatively immune to such measures. This tool of collective economic coercion, with antecedents such as siege warfare and blockade going back to biblical time [4], was used during most of the 20th Century, particularly in war situations. Although the United Nations Charter, drafted during the later stages of World War II, includes provisions for the imposition of economic sanctions (Article 41), the Security Council - empowered to resort to this tool - only used it twice between 1945 and 1990, against Rhodesia in 1966 and South Africa in 1977. In our discussion we designate economic sanctions as “coordinated restrictions on trade and/or financial transactions intended to impair economic life within a given territory”[5]. To the extent that measures intend to impair “economic life within a given territory” through restrictions on trade and/or finance, they constitute, for our purposes, *economic* sanctions. Selective or individualized measures, such as restrictions on specific goods (arms, luxury items, some forms of travel), are therefore not considered as *economic* sanctions. Symbolic economic deprivations, such as partial withholding of aid, do not amount to economic sanctions if their intended effect is primarily to convey displeasure, rather than to affect the economy.

### Single Products---Aff

#### Economic sanctions include bans on travel and single products

Askari 3 – Hossein, et al, Professor of International Business at George Washington University, Case Studies of U.S. Economic Sanctions: The Chinese, Cuban, and Iranian Experience, p. 1

Sanctions are policy tools used by governments to influence other governments and/or firms and citizens in other nations. An economic sanction is a restriction on commercial relations between citizens and firms of at least two countries: those in the sender (the nation imposing the sanction) and those in the target (the nation upon which the sanction is imposed). Economic sanctions may restrict commercial relations of third countries or third parties as well. Sanctions can include (1) trade embargoes that prohibit all merchandise and/or service trade between the sender and target, (2) more limited trade bans on certain goods or services, (3) restrictions on investment and other financial flows, (4) limitations on travel, and (5) limits on the transfer of nonfinancial assets between nations (as in the case of technology transfer regulations).

#### Import and export restrictions are economic sanctions

McKenzie 3 – Fiona, Are Economic Sanctions Effective Without The Threat of Military Intervention?, Panorama, 12-7, <http://www.takingitglobal.org/express/panorama/article.html?ContentID=2454>

The Concise Oxford Dictionary defines ‘sanction’ as a ‘law, decree’, a ‘penalty for disobedience’, and ‘economic or military action by State(s) to coerce another into conformity with international norms of conduct.’ It is obvious then, combining all these definitions, that an economic sanction is a trade law or action created by a State to punish another for not obeying international norms of conduct. There are many types of economic sanctions including import restrictions, boycotts, and embargoes that prevent exports to another country. Economic sanctions are used in international political economy as a tool for foreign policy, using trade as a way to punish a nation. ‘If wealth is power, then trade is both’. Economic sanctions are used as another way to try and force a state to implement changes before military intervention is used. The reason for this is that just war theory, which is the theory of war that most states and international organisations use, says that war/military intervention should be a last resort. Therefore economic sanctions provide a way to punish a nation without the military intervention. However the effectiveness of this is debatable, as I have already stated.

### Single Products---Aff---A2: Commerce/Economy Distinction

#### Commerce is functionally equivalent to “economics” and, if there is a difference, it’s a subset, so we’re still topical

Zutshi 8 – B.K. Zutshi, Former Indian Ambassador to the General Agreement on Tariffs and Trade and Former Deputy Chairman of the Telecom Regulatory Authority of India, “Training Needs for Commercial and Economic Diplomacy: An Indian Case Study”, http://www.cuts-citee.org/pdf/rreport08-01.pdf

2.1 Defining Commercial and Economic Diplomacy

Teaching of and research in commercial and economic diplomacy is a relatively new field in pedagogy and academics, with the result that even the definition of the subject matter is not settled. At the first place, the distinction between “commercial” and “economic” is not at all clear: the difference between the two varies among authors, experts and analysts of the subject. Geza Feketekuty defines commercial diplomacy as encompassing “all the activities related to analysing, developing, negotiating, and implementing trade agreements”1 and economic diplomacy as “diplomacy related to all economic issues”.2 In this light, commercial diplomacy can be said to be a subset of economic diplomacy. In common parlance, ‘commercial’ and ‘economic’ are interchangeably used for the same set of activities.

#### Commercial diplomacy is part of economic diplomacy

Rana 11 – Kishan S. Rana, Former Indian Ambassador, and Bipul Chatterjee, Deputy Executive Director of CUTS International, “Introduction: The Role of Embassies”, Economic Diplomacy: India’s Experience, p. 3-4

Economic diplomacy is a multi-hued activity, easy to describe in broad brushstrokes, but harder to pin down with precision. From the perspective of members of diplomatic and commercial or trade services, and those that are the ‘customers’ or users of these services, economic diplomacy is a plural set of practices, all aimed at advancing the home country’s external economic interests. Is it different from commercial diplomacy? Opinions differ; some of those that have worked in this métier tend to see commercial diplomacy as a subset of the wider compendium of economic diplomacy. For instance, typically, commercial diplomacy would not include the management of economic aid – either as a donor or as a recipient – but that would clearly fall within the rubric of economic diplomacy. The same may apply to managing relations with international economic organisations, such as the World Bank and the International Monetary Fund, or the UN regional commissions such as the Economic Commission for Asia and the Pacific (ESCAP). A chart showing their characteristics and differentiation is set out in figure 1.

## Formal Dialogue

### Dialogue---1NC

#### “Engagement” requires direct talks with China

Crocker 9 – Chester Crocker, Professor of Strategic Studies at the Walsh School of Foreign Service at Georgetown University, Former Assistant Secretary of State for African Affairs, “Terms of Engagement”, New York Times, 9-13, http://www.nytimes.com/2009/09/14/opinion/14crocker.html?\_r=0

PRESIDENT OBAMA will have a hard time achieving his foreign policy goals until he masters some key terms and better manages the expectations they convey. Given the furor that will surround the news of America’s readiness to hold talks with Iran, he could start with “engagement” — one of the trickiest terms in the policy lexicon.

The Obama administration has used this term to contrast its approach with its predecessor’s resistance to talking with adversaries and troublemakers. His critics show that they misunderstand the concept of engagement when they ridicule it as making nice with nasty or hostile regimes.

Let’s get a few things straight. Engagement in statecraft is not about sweet talk. Nor is it based on the illusion that our problems with rogue regimes can be solved if only we would talk to them. Engagement is not normalization, and its goal is not improved relations. It is not akin to détente, working for rapprochement, or appeasement.

So how do you define an engagement strategy? It does require direct talks. There is simply no better way to convey authoritative statements of position or to hear responses. But establishing talks is just a first step. The goal of engagement is to change the other country’s perception of its own interests and realistic options and, hence, to modify its policies and its behavior.

#### The Aff is one-off appeasement --- this blurs the practice with any positive sanction and wrecks limits and precision

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

A REFINED DEFINITION OF ENGAGEMENT

In order to establish a more effective framework for dealing with unsavory regimes, I propose that we define engagement as the attempt to influence the political behavior of a target state through the comprehensive establishment and enhancement of contacts with that state across multiple issue-areas (i.e. diplomatic, military, economic, cultural). The following is a brief list of the specific forms that such contacts might include:

DIPLOMATIC CONTACTS

Extension of diplomatic recognition; normalization of diplomatic relations

Promotion of target-state membership in international institutions and regimes

Summit meetings and other visits by the head of state and other senior government officials of sender state to target state and vice-versa

MILITARY CONTACTS

Visits of senior military officials of the sender state to the target state and vice-versa

Arms transfers

Military aid and cooperation

Military exchange and training programs

Confidence and security-building measures

Intelligence sharing

ECONOMIC CONTACTS

Trade agreements and promotion

Foreign economic and humanitarian aid in the form of loans and/or grants

CULTURAL CONTACTS

Cultural treaties

Inauguration of travel and tourism links

Sport, artistic and academic exchanges (n25)

Engagement is an iterated process in which the sender and target state develop a relationship of increasing interdependence, culminating in the endpoint of "normalized relations" characterized by a high level of interactions across multiple domains. Engagement is a quintessential exchange relationship: the target state wants the prestige and material resources that would accrue to it from increased contacts with the sender state, while the sender state seeks to modify the domestic and/or foreign policy behavior of the target state. This deductive logic could adopt a number of different forms or strategies when deployed in practice.(n26) For instance, individual contacts can be established by the sender state at either a low or a high level of conditionality.(n27) Additionally, the sender state can achieve its objectives using engagement through any one of the following causal processes: by directly modifying the behavior of the target regime; by manipulating or reinforcing the target states' domestic balance of political power between competing factions that advocate divergent policies; or by shifting preferences at the grassroots level in the hope that this will precipitate political change from below within the target state.

This definition implies that three necessary conditions must hold for engagement to constitute an effective foreign policy instrument. First, the overall magnitude of contacts between the sender and target states must initially be low. If two states are already bound by dense contacts in multiple domains (i.e., are already in a highly interdependent relationship), engagement loses its impact as an effective policy tool. Hence, one could not reasonably invoke the possibility of the US engaging Canada or Japan in order to effect a change in either country's political behavior. Second, the material or prestige needs of the target state must be significant, as engagement derives its power from the promise that it can fulfill those needs. The greater the needs of the target state, the more amenable to engagement it is likely to be. For example, North Korea's receptivity to engagement by the US dramatically increased in the wake of the demise of its chief patron, the Soviet Union, and the near-total collapse of its national economy.(n28)

Third, the target state must perceive the engager and the international order it represents as a potential source of the material or prestige resources it desires. This means that autarkic, revolutionary and unlimited regimes which eschew the norms and institutions of the prevailing order, such as Stalin's Soviet Union or Hitler's Germany, will not be seduced by the potential benefits of engagement.

This reformulated conceptualization avoids the pitfalls of prevailing scholarly conceptions of engagement. It considers the policy as a set of means rather than ends, does not delimit the types of states that can either engage or be engaged, explicitly encompasses contacts in multiple issue-areas, allows for the existence of multiple objectives in any given instance of engagement and, as will be shown below, permits the elucidation of multiple types of positive sanctions.

DIFFERENTIATING BETWEEN ENGAGEMENT AND APPEASEMENT

In contrast to many prevailing conceptions of engagement, the one proposed in this essay allows a substantive distinction to be drawn between engagement and appeasement. The standard definition of appeasement--which derives from the language of classical European diplomacy, namely "a policy of attempting to reduce tension between two states by the methodical removal of the principal causes of conflict between them"(n29)--is venerable but nevertheless inadequate.(n30) It does not provide much guidance to the contemporary policymaker or policy analyst, because it conceives of a foreign policy approach in terms of the ends sought while never making clear the precise means involved. The principal causes of conflict between two states can be removed in a number of ways.(n31)

A more refined definition of appeasement that not only remains loyal to the traditional connotations but also establishes a firm conceptual distinction from engagement might be: the attempt to influence the political behavior of a target state by ceding territory and/or a geopolitical sphere of influence to that state. Indeed, the two best-known cases of appeasement, Great Britain's appeasement of the United States at the turn of the 20th century and of Nazi Germany in the 1930s, reveals that much of this appeasement adopted precisely these guises. The key elements of the British appeasement of the US-acceptance of the Monroe Doctrine-permission for the US to build and fortify a Central American canal, and acquiescence to American claims on the border between Alaska and the Yukon--consisted of explicit acknowledgement of American territorial authority.(n32) Meanwhile, the appeasement of the Third Reich by Great Britain was characterized by acquiescence to: Germany's military reoccupation of the Rhineland (1936); annexation of Austria (1938); acquisition of the Sudetenland from Czechoslovakia as decided at the Munich Conference; and absorption of the remainder of Czechoslovakia (1939).(n33) A more contemporary example of appeasement is the land for peace exchange that represents the centerpiece of the on-again off-again diplomatic negotiations between the Israeli government and the Palestinian Authority.

Thus, a rigid conceptual distinction can be drawn between engagement and appeasement. Whereas both policies are positive sanctions--insofar as they add to the power and prestige of the target state--engagement does so in a less direct and less militarized fashion than appeasement. In addition, engagement differs from appeasement by establishing an increasingly interdependent relationship between the sender and the target state. At any juncture, the sender state can, in theory, abrogate such a relationship at some (ideally prohibitive) cost to the target state.(n34) Appeasement, on the other hand, does not involve the establishment of contacts or interdependence between the appeaser and the appeased. Territory and/or a sphere of influence are merely transferred by one party to the other either unconditionally or in exchange for certain concessions on the part of the target state.

ENGAGEMENT VS. ISOLATION, APPEASEMENT VS. CONTAINMENT

The proposed definition of engagement helps clarify the distinctions between alternative foreign policy approaches that rely on positive sanctions and also makes understandable distinctions among some frequently mentioned alternative approaches that rely on negative sanctions. In current discussions on US foreign policy toward rogue states, and especially on US foreign policy toward China, engagement and containment are paired as antipodal policies. In fact, one recent scholarly article addressing US-P.R.C. relations decries the fact that "the media and many pundits have constructed US choices as limited to 'engagement' and 'containment.'"(n35) However, in light of the distinction I posit between engagement and appeasement, one could more intuitively construe containment to be the opposite of appeasement rather than engagement. Containment has been traditionally construed as the attempt to prevent the geopolitical expansion of a target state.(n36) If appeasement constitutes the cession of territory and/or spheres of influence to a target state, containment might more appropriately be considered the policy of preventing a target state from expanding its territorial scope and/or sphere of geopolitical influence. Thus, whereas a sender state can expand contacts across multiple issue areas with a target state while simultaneously deterring it from committing aggression and/or expanding its geopolitical influence by allying with its neighbors (engagement plus containment), it would be impossible for a sender state to cede territory and/or a sphere of influence to a target state while simultaneously preventing that same state from expanding its territory or sphere of geopolitical influence (appeasement plus containment).

The opposite of a policy of engagement would be one in which a state comprehensively diminishes and withdraws contacts across multiple issue areas with another state. Although such a policy would be considered a negative sanction, it does not attempt to do so through direct geopolitical means, as does a containment policy. One could label such a policy as disengagement or isolation.(n37) Thus, whereas a state can yield another state territory or an enlarged sphere of influence while simultaneously abrogating contacts with that state (appeasement plus disengagement), it is impossible for a state to expand and diminish contacts with another state across multiple issue-areas (engagement plus disengagement).

The distinctions drawn between engagement, appeasement, containment and isolation allow for a more focused and coherent discussion of some of the options available for dealing with rival states. For example, current US policy toward China can be depicted as engagement plus containment. Efforts in recent years to liberalize trade with China, integrate the P.R.C. into international institutions and regimes, facilitate numerous diplomatic visits and summit meetings, and conduct bilateral exchanges of senior military personnel and academics are representative of engagement. However, at the same time, the US has elected to contain rather than appease China by taking steps to prevent the P.R.C. from expanding its territory or sphere of influence in East Asia. Most important, the US has signaled that it would not stand aside if Beijing tries to absorb Taiwan by force. Toward this end, the US has continued to sell large quantities of arms to the Taiwanese government, and, in 1995 and 1996, it played high stakes gunboat diplomacy with China in the Taiwan Straits.(n38) In addition, the United States has retained its Cold War military alliances with both South Korea and Japan and has maintained a strong troop presence in both countries.(n39) The US has also expressed grave concern about "Chinese intrusions" into disputed island territories in the South China Sea.(n40) Taken together, these steps exemplify Columbia University Professor A. Doak Barnett's 1966 injunction to the Senate Foreign Relations Committee that American policy toward China should constitute "containment but not isolation."(n41)

CONCLUSION

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

The refined definition I propose as a substitute for existing descriptions of engagement is different in two important ways: First, it clarifies the menu of choices available for policymakers by allowing engagement to be distinguished from related approaches such as appeasement, containment and isolation. Second, it lays the groundwork for systematic and objective research on historical cases of engagement in order to discern the conditions under which it can be used effectively. Such research will, in turn, help policymakers acquire the information necessary to better manage the rogue states of the 21st century.

#### Voting issue ---

#### Limits --- requiring direct talks places a functional limit on the topic because few Affs can defend the process. Specific import cases can’t beat the PIC out of talks, controlling the Neg’s research burden

#### Ground --- talks are a stable mechanism for DA links and competition for counterplans like two-track or quiet diplomacy --- core ground is key to fairness

### Dialogue---Definitions

#### “Engagement” requires dialogue

Lederach 12 – John Paul Lederach, Professor of International Peacebuilding at the University of Notre Dame and Ph.D. in Sociology from the University of Colorado, “From Isolation to Engagement: Strategies for Countering Violent Extremism”, Peace Policy, 1-25, http://peacepolicy.nd.edu/2012/01/25/from-isolation-to-engagement-strategies-for-countering-violent-extremism/

The U.S. government’s list of “Foreign Terrorist Organizations” is a central part of a counter-terrorism strategy based on the isolation of individuals and groups who espouse violence defined as terrorism. This strategy makes it illegal to provide material support to those individuals and groups, which increasingly is interpreted to prohibit any contact or consultation with groups on the list.

Peacebuilding, on the other hand, proposes a strategy of *engagement*. Engagement requires contact and deliberative dialogue, inclusive of all views. It develops processes that focus on accurately understanding the sources of violence and addressing them through a range of nonviolent change strategies.

#### “Engagement” must contain dialogue---isolation is the opposite of the topic

Capie 2 – David H. Capie, and Paul M. Evans, Institute of Southeast Asian Studies, The Asia-Pacific Security Lexicon, p. 118

Second, engagement is sometimes used in a slightly narrower sense to describe the political relationship between specific states. Here there are two distinctive usages: first, engagement can be described as a kind of loosely defined informal association or relationship. The example that has received the most attention in the literature on Asia-Pacific security is that of the United States' engagement of China. In this sense, engagement connotes a relationship of dialogue and involvement, and is often contrasted with "containment" or "isolation".'3 Joseph Nye has said "the attitude that 'engagement' implies is important." He claims the United States' decision to engage China "means that [it] has rejected the argument that conflict is inevitable"." A related use of engagement is to describe formal state policies or strategies. For example, the Clinton administration's "Strategy of Engagement and Enlargement" and policy of "Comprehensive Engagement" with China. Different parts of the government often take very differing attitudes to engagement. Robert Sutter notes that under the George VV. Bush administration, there has been "an institutional gap between the Department of Defense and other US departments as far as interaction and engagement with China is concerned".'5

#### “Engagement” involves expanded interaction with a foreign government

Sutter 11 – Robert G. Sutter, Professor of Practice of International Affairs at the Elliott School of George Washington University, Making China Policy: Lessons from the Bush and Clinton Administrations, p. 86

Viewed broadly, the Bush and Clinton administrations have followed a policy of engagement toward China. Though hard to define precisely, the policy has emphasized preserving and expanding constructive U.S. interaction with the Chinese government, seeking to manage points of difficulty and conflict, while developing areas of common ground. The policy is assumed to meet broad U.S. goals of promoting China's greater interaction with the world, especially the developed world. Such interchange, especially trade, investment, and other economic interchange, is seen to make the Chinese leaders realize how interdependent China has become with the rest of the world. In turn, this is presumed to make Chinese leaders more likely to conform to international norms of salient concern to the United States.

### Dialogue---Definitions---Economic

#### Even if “engagement” doesn’t require contact, “economic engagement” does --- independent violation

Kahler 4 – Miles Kahler, Graduate School of International Relations and Pacific Studies at the University of California, San Diego, and Scott L. Kastner Department of Government and Politics University of Maryland, “Strategic Uses of Economic Interdependence: Engagement Policies in South Korea, Singapore, and Taiwan”, November, http://www.bsos.umd.edu/gvpt/kastner/KahlerKastner.doc

Economic engagement—a policy of deliberately expanding economic ties with an adversary in order to change the behavior of the target state and effect an improvement in bilateral political relations—is the subject of growing, but still limited, interest in the international relations literature. The bulk of the work on economic statecraft continues to focus on coercive policies such as economic sanctions. The emphasis on negative forms of economic statecraft is not without justification: the use of economic sanctions is widespread and well-documented, and several quantitative studies have shown that adversarial relations between countries tend to correspond to reduced, rather than enhanced, levels of trade (Gowa 1994; Pollins 1989). At the same time, however, relatively little is known about how widespread strategies of economic engagement actually are: scholars disagree on this point, in part because no database cataloging instances of positive economic statecraft exists (Mastanduno 2003). Furthermore, beginning with the classic work of Hirschman (1945), most studies in this regard have focused on policies adopted by great powers. But engagement policies adopted by South Korea and the other two states examined in this study, Singapore and Taiwan, demonstrate that engagement is not a strategy limited to the domain of great power politics; instead, it may be more widespread than previously recognized.

### Dialogue---Violations

#### “Engagement” requires active fostering of economic relations using positive sanctions --- passive ceding on an issue is “appeasement”, which is distinct

Edelstein 2 – David M. Edelstein, Assistant Professor at Georgetown University's Edmund A. Walsh School of Foreign Service, “Managing Uncertainty: Beliefs About Intentions and The Rise of Great Powers”, 12(1), Autumn, p. 5

This article seeks to explain how beliefs about others’ intentions affects the strategic choices of states. In general, governments pursue predominately co-operative or competitive strategies toward each other. Cooperative strategies range from passive strategies such as simply abstaining from balancing to strategies that actively foster the growth of another state through economic or security relations. Among cooperative strategies are policies labeled as “engagement” or “appeasement.” Engagement is often defined as a strategy of using positive sanctions in the hopes of achieving peaceful relations or other objectives, while appeasement is a strategy of ceding demands to another state in order to placate and pacify it.11 Competitive strategies, on the other hand, include internal and external balancing, efforts to forestall another state’s growth, or, at an extreme, initiating war.

#### Appeasement alone isn’t engagement --- topical plans must attempt ongoing socialization

Borer 4 – Douglas A. Borer, Professor of Defense Analysis at the Naval Postgraduate School, “Problems of Economic Statecraft: Rethinking Engagement”, http://www.au.af.mil/au/awc/awcgate/army-usawc/strategy2004/12borer.pdf

Bridging the Gap in Theory and Practice: Inverse Engagement

The policy of engagement refers to the use of non-coercive means, or positive incentives, by one state to alter the elements of another state’s behavior. As such, some scholars have categorized engagement as a form of appeasement.21 However, I concur with the view articulated by Randall Schweller that, while engagement can be classified in generic terms as a form of appeasement, an important qualitative difference exists between the two: “Engagement is more than appeasement,” he says:

It encompasses any attempt to socialize the dissatisfied power into acceptance of the established order. In practice engagement may be distinguished from other policies not so much by its goals but by its means: it relies on the promise of rewards rather than the threat of punishment to influence the target’s behavior. . . . The policy succeeds if such concessions convert the revolutionary state into a status quo power with a stake in the stability of the system. . . . Engagement is most likely to succeed when the established powers are strong enough to mix concessions with credible threats, to use sticks as well as carrots. . . . Otherwise, concessions will signal weakness that emboldens the aggressor to demand more.22

#### “Engagement” requires contact and dialogue

Lederach 12 – John Paul Lederach, Professor of International Peacebuilding at the University of Notre Dame and Ph.D. in Sociology from the University of Colorado, “From Isolation to Engagement: Strategies for Countering Violent Extremism”, Peace Policy, 1-25, http://peacepolicy.nd.edu/2012/01/25/from-isolation-to-engagement-strategies-for-countering-violent-extremism/

The U.S. government’s list of “Foreign Terrorist Organizations” is a central part of a counter-terrorism strategy based on the isolation of individuals and groups who espouse violence defined as terrorism. This strategy makes it illegal to provide material support to those individuals and groups, which increasingly is interpreted to prohibit any contact or consultation with groups on the list.

Peacebuilding, on the other hand, proposes a strategy of *engagement*. Engagement requires contact and deliberative dialogue, inclusive of all views. It develops processes that focus on accurately understanding the sources of violence and addressing them through a range of nonviolent change strategies.

#### Inducements that remove conflict but don’t build mutual economic ties are appeasement, not “engagement”

Rock 00 – Stephen R. Rock, Professor of Political Science at Vassar College, Appeasement in International Politics, p. 22-23

Appeasement and engagement are not identical. Appeasement can be a strategy with short-run aims, while engagement almost necessarily implies a lengthy process and a distant time horizon. More importantly; engagement is a broader, more wide-ranging approach to dealing with an opponent. It places greater emphasis on cooperation on matters of mutual interest, enmeshing the adversary in a web of commercial connections, rules, and institutions, on the development of increased leverage, and on shaping the long-term evolution of the adversary's economic and/ or political system. Appeasement tends to be somewhat narrower in scope, relying more heavily on inducements to remove the causes of conflict and reduce tensions.

### Dialogue---A2: CI

#### Defining “engagement” as any positive action ruins limits, precision, and topic education

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

While the term "engagement" enjoys great consistency and clarity of meaning in the discourse of romantic love, it enjoys neither in the discourse of statecraft. Currently, practitioners and scholars of American foreign policy are vigorously debating the merits of engagement as a strategy for modifying the behavior of unsavory regimes. The quality of this debate, however, is diminished by the persistent inability of the US foreign policy establishment to advance a coherent and analytically rigorous conceptualization of engagement. In this essay, I begin with a brief survey of the conceptual fog that surrounds engagement and then attempt to give a more refined definition. I will use this definition as the basis for drawing a sharp distinction between engagement and alternative policy approaches, especially appeasement, isolation and containment.

In the contemporary lexicon of United States foreign policy, few terms have been as frequently or as confusingly invoked as that of engagement.(n1) A growing consensus extols the virtues of engagement as the most promising policy for managing the threats posed to the US by foreign adversaries. In recent years, engagement constituted the Clinton administration's declared approach in the conduct of bilateral relations with such countries as China, Russia, North Korea and Vietnam.

Robert Suettinger, a onetime member of the Clinton administration's National Security Council, remarked that the word engagement has "been overused and poorly defined by a variety of policymakers and speechwriters" and has "become shopworn to the point that there is little agreement on what it actually means."(n2) The Clinton foreign policy team attributed five distinct meanings to engagement:(n3)

A broad-based grand strategic orientation: In this sense, engagement is considered synonymous with American internationalism and global leadership. For example, in a 1993 speech, National Security Advisor Anthony Lake observed that American public opinion was divided into two rival camps: "On the one side is protectionism and limited foreign engagement; on the other is active American engagement abroad on behalf of democracy and expanded trade."(n4)

A specific approach to managing bilateral relations with a target state through the unconditional provision of continuous concessions to that state: During the 1992 presidential campaign, candidate Bill Clinton criticized the Bush administration's "ill-advised and failed" policy of "constructive engagement" toward China as one that "coddled the dictators and pleaded for progress, but refused to impose penalties for intransigence."(n5)

A bilateral policy characterized by the conditional provision of concessions to a target state: The Clinton administration announced in May 1993 that the future extension of Most Favored Nation trading status to China would be conditional on improvements in the Chinese government's domestic human rights record.(n6) Likewise, in the Agreed Framework signed by the US and North Korea in October 1994, the US agreed to provide North Korea with heavy oil, new light-water nuclear reactors and eventual diplomatic and economic normalization in exchange for a freeze in the North's nuclear weapons program.(n7)

A bilateral policy characterized by the broadening of contacts in areas of mutual interest with a target state: Key to this notion of engagement is the idea that areas of dialogue and fruitful cooperation should be broadened and not be held hostage through linkage to areas of continuing disagreement and friction. The Clinton administration inaugurated such a policy toward China in May 1994 by declaring that it would not tie the annual MFN decision to the Chinese government's human rights record.(n8) Similarly, the administration's foreign policy toward the Russian Federation has largely been one of engagement and described as an effort to "build areas of agreement and...develop policies to manage our differences."(n9)

A bilateral policy characterized by the provision of technical assistance to facilitate economic and political liberalization in a target state: In its 1999 national security report, the White House proclaimed that its "strategy of engagement with each of the NIS [Newly Independent States]" consisted of "working with grassroots organizations, independent media, and emerging entrepreneurs" to "improve electoral processes and help strengthen civil society," and to help the governments of the NIS to "build the laws, institutions and skills needed for a market democracy, to fight crime and corruption [and] to advance human rights and the rule of law."(n10)

Unfortunately, scholars have not fared better than policymakers in the effort to conceptualize engagement because they often make at least one of the following critical errors: (1) treating engagement as a synonym for appeasement; (2) defining engagement so expansively that it essentially constitutes any policy relying on positive sanctions; (3) defining engagement in an unnecessarily restrictive manner.

CONFLATING ENGAGEMENT AND APPEASEMENT

One serious flaw in scholarly conceptualizations of engagement is the tendency to view engagement as simply a synonym for appeasement, a policy approach that has fallen into disrepute since the late 1930s. In their book, Force and Statecraft, Gordon Craig and Alexander George make the following case: "constructive engagement...is essentially a policy of appeasement, though the term itself cannot be used."(n11) Similarly, in a recently published article, Randall Schweller and William Wohlforth refer to engagement as "simply a new, 'more acceptable' term for an old policy that used to be called appeasement."(n12) Another scholar, Victor Cha, does try to differentiate appeasement from engagement, though he does so in a manner that nevertheless renders the two policies indistinguishable. Cha claims that engagement occurs when "non-coercive and non-punitive" means are employed by a strong country toward a weak country, while appeasement is the use of the very same means by a weak country against a strong country.(n13) This suggests that only the strong can engage and only the weak can appease, though the actual means deployed are virtually identical in both cases.

#### Allowing all positive incentives is too broad --- it makes half of foreign policy topical and undermines nuanced analysis and policy comparison

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

DEFINING ENGAGEMENT TOO BROADLY

A second problem associated with various scholarly treatments of engagement is the tendency to define the concept too broadly to be of much help to the analyst. For instance, Cha's definition of engagement as any policy whose means are "non-coercive and non-punitive" is so vague that essentially any positive sanction could be considered engagement. The definition put forth by Alastair lain Johnston and Robert Ross in their edited volume, Engaging China, is equally nebulous. According to Johnston and Ross, engagement constitutes "the use of non-coercive methods to ameliorate the non-status quo elements of a rising power's behavior."(n14) Likewise, in his work, Rogue States and US Foreign Policy, Robert Litwak defines engagement as "positive sanctions."(n15) Moreover, in their edited volume, Honey and Vinegar: Incentives, Sanctions, and Foreign Policy, Richard Haass and Meghan O'Sullivan define engagement as "a foreign policy strategy that depends to a significant degree on positive incentives to achieve its objectives."(n16)

As policymakers possess a highly differentiated typology of alternative options in the realm of negative sanctions from which to choose--including covert action, deterrence, coercive diplomacy, containment, limited war and total war--it is only reasonable to expect that they should have a similar menu of options in the realm of positive sanctions than simply engagement. Equating engagement with positive sanctions risks lumping together a variety of discrete actions that could be analyzed by distinguishing among them and comparing them as separate policies.

#### Limiting “engagement” based on “economic” is hopeless

Posner 93 – Richard A. Posner, Judge of the U.S. Court Appeals for the Seventh Circuit and Senior Lecturer at the University of Chicago Law School, The Problems of Jurisprudence, p. 367-368

Some arguments against applying economics to nonmarket behavior are particularly interesting from the perspective of this book because they are based on stubborn philosophical fallacies, in particular that of essentialism, the idea that everything has a property that defines it and is, indeed, its metaphysical essence, so that if this property is missing, the thing to which it is supposed to be attached is a different thing from what we thought it was. (Laingdell was an essentialist.) Thus it is argued that economics *means* the study of markets, so the study of nonmarket behavior is simply outside its scope, is not—cannot be—economics. In fact, "economics," like "law" (or "philosophy," or "democracy," or "religion"), has neither a fixed intension nor a fixed extension; that is, it cannot be defined or the complete set of things to which it applies enumerated. It is not like "rabbit," a word that can be defined and then "attached" unambiguously to each member of a finite set of real-world objects that satisfy the definition. (Well, not quite, because the word is not misused when it is applied to Harvey or the Easter Bunny, or to a timid human being.) Definitions of economics are hopeless. One cannot say that economics is what economists do, because many noneconomists do economics—or do they become economists by doing so? One cannot, at least when attempting to speak precisely, call economics the science of rational choice. There are theories of rational choice that do not resemble economics, either because they assume unstable preferences, which alters many of the predictions of economics, or because they assume a plurality of rational actors within each human being—for example, an impulsive self and a future-regarding self. And there are theories of economics that are nonrational or not consistently rational. These include survival theories in industrial organization (firms that happen to hit on more efficient methods of doing business will grow relative to less efficient firms) and the many macroeconomic theories in which people are assumed to have propensities (to save, to consume, to hold a fixed fraction of their assets in cash) that arc not derived from the rational model ot human behavior. One cannot call economics the study of markets, because other disciplines study markets—for example, sociology and anthropology—and because it begs the question of the proper domain of economics to define economics as the study of markets and refuse to defend the definition.

What is true is that historically the emphasis of economics has been on studying markets. This is partly because data of the sort useful for economic analysis have been abundant, partly because (unlike such areas of human behavior as law. religion, education, statecraft, love, and madness) the study of markets has been of only marginal interest to practitioners of other human sciences, partly because economic theory has many applications to the understanding of markets, partly (related to the last point) because rational behavior seems more pervasive in markets than in most other arenas of social interaction, and partly because money offers a measuring rod for the study of markets comparable to the role of mass and velocity in physics. But the history of a field—even the character of its greatest triumphs—does not determine its future or delimit its scope.

### Dialogue---Aff

#### “Economic engagement” doesn’t require formal governmental dialogue

Haass 00 – Richard N. Haass, Vice President and Director of Foreign Policy Studies at the Brookings Institution, and Meghan L. O’Sullivan, Fellow with the Foreign Policy Studies Program at the Brookings Institution, “Engaging Problem Countries”, Brookings Policy Brief, No. 61, June,

<http://dspace.cigilibrary.org/jspui/bitstream/123456789/18245/1/Engaging%20Problem%20Countries.pdf>?1

Engagement as a policy is not merely the antithesis of isolation. Rather, it involves the use of economic, political, or cultural incentives to influence problem countries to alter their behavior in one or more realms. Such a strategy can take a variety of forms. *Conditional* engagement is a government-to-government affair in which the United States offers inducements to a target regime in exchange for specified changes in behavior. This was the approach favored in 1994 when the United States and North Korea entered into a framework agreement under which Pyongyang pledged to curtail its nuclear weapons development in exchange for shipments of fuel, construction of a new generation of nuclear power-generating reactors, and a degree of diplomatic normalization. In contrast, *unconditional* engagement is less contractual, with incentives being extended without the explicit expectation that a reciprocal act will follow. Unconditional engagement makes the most sense in promoting civil society in hopes of creating an environment more conducive to reform.

#### Targeting non-state actors is “economic engagement”

Haass 00 – Richard N. Haass, Vice President and Director of Foreign Policy Studies at the Brookings Institution, and Meghan L. O’Sullivan, Fellow with the Foreign Policy Studies Program at the Brookings Institution, “Engaging Problem Countries”, Brookings Policy Brief, No. 61, June,

<http://dspace.cigilibrary.org/jspui/bitstream/123456789/18245/1/Engaging%20Problem%20Countries.pdf>?1

The provision of economic incentives to the private sector can also be an effective mode of unconditional engagement, particularly when the economy of the target country is not entirely state-controlled. In these more open climates, economic actors nourished by exchanges will often be agents for change and natural allies in some Western causes. To the extent that economic engagement builds the private sector and other non-state elements within the target country, it is likely to widen the base of support for engagement with America specifically and the promotion of international norms more generally. Certainly, U.S. engagement with China has nurtured constituencies which are sympathetic, if not to American ideals per se, then at least to trade and open markets and the maintenance of good relations to secure them.

## QPQ

### QPQ---1NC

#### “Engagement” requires the provision of positive incentives

Haass 00 – Richard Haass & Meghan O’Sullivan, Brookings Institution Foreign Policy Studies Program, Honey and Vinegar: Incentives, Sanctions, and Foreign Policy, p. 1-2

The term *engagement* was popularized amid the controversial policy of constructive engagement pursued by the United States toward South Africa during the first term of the Reagan administration. However, the term itself remains a source of confusion. To the Chinese, the word appears to mean simply the conduct of normal relations. In German, no comparable translation exists. Even to native English speakers, the concept behind the word is unclear. Except in the few instances in which the United States has sought to isolate a regime or country, America arguably "engages" states and actors all the time in one capacity or another simply by interacting with them. This book, however, employs the term engagement in a much more specific way, one that involves much more than a policy of nonisolation. In our usage, engagement refers to a foreign policy strategy that depends to a significant degree on positive incentives to achieve its objectives. Certainly, engagement does not preclude the simultaneous use of other foreign policy instruments such as sanctions or military force. In practice, there is often considerable overlap of strategies, particularly when the termination or lifting of sanctions is used as a positive inducement. Yet the distinguishing feature of engagement strategies is their reliance on the extension or provision of incentives to shape the behavior of countries with which the United States has important disagreements.

#### That means the plan must be a quid-pro-quo

De LaHunt 6 - Assistant Director for Environmental Health & Safety Services in Colorado College's Facilities Services department (John, “Perverse and unintended” Journal of Chemical Health and Safety, July-August, Science direct)

Incentives work on a *quid pro quo* basis – this for that. If you change your behavior, I’ll give you a reward. One could say that coercion is an incentive program – do as I say and I’ll let you live. However, I define an incentive as getting something you didn’t have before in exchange for new behavior, so that pretty much puts coercion in its own box, one separate from incentives. But fundamental problems plague the incentive approach. Like coercion, incentives are poor motivators in the long run, for at least two reasons – unintended consequences and perverse incentives.

#### Plan isn’t --- voting issue:

#### Limits --- it functionally narrows the topic because few cases can defend conditioning --- the alternative is hundreds of single import or export cases that explode the Neg’s research burden

#### Ground --- QPQ locks in core generics like soft power and foreign politics DAs, counterplans to add or remove a condition, and critiques of diplomacy

### QPQ---Violations

#### Conditional engagement is distinct from appeasement (must be tied to specific policy changes, must reward after behavioral change, and must be contingent on follow-through).

Litwak 7 — Robert S. Litwak, Director of the Division of International Security Studies at the Woodrow Wilson International Center for Scholars, former director for nonproliferation on the National Security Council staff, 2007 (“Strategies for a Change of Regime — or for Change within a Regime?,” *Regime Change: U.S. Strategy Through the Prism of 9/11*, Published by JHU Press, ISBN 0801886422, p. 117)

Conditional Engagement

The conditional engagement strategy is conducted on the government-to-government level and requires reciprocity by the target state on essentially a contractual basis. It is typically focused on a discrete issue but can be broadened to encompass a range of issues in a "grand bargain" (as some have proposed in the case of Iran). "Conditional reciprocity" is a form of conditional engagement, elucidated by George, in which meaningful changes in behavior by the target state would be explicitly linked to each concession or benefit bestowed by the United States.45 The engagement of an adversary under conditional reciprocity has three key features, which clearly distinguish this strategy from appeasement. First, the inducement must be tied to specific policy changes in the target state's behavior, not general expectations of improved behavior. Second, the reward should come only after the specific change in behavior. If the reward is provided in advance of behavior modification or is not linked to a specific behavioral change, it may be legitimately criticized as a bribe. And, third, such an approach depends on mutual adherence to the specific conditional reciprocal steps in the sequence. If the target state does not fulfill its obligations, the process can be halted and the benefit withdrawn.46

### QPQ---With---2NC

#### “With” means a conditional approach

Indeglia 00 – Gilbert V. Indeglia, Judge on the Supreme Court of Rhode Island, “Manuel Rezendes v. American Insulated Wire”, 4-17, <https://www.courts.ri.gov/Courts/SupremeCourt/OpinionsOrders/pdf-files/99-125order.pdf>

In support of his argument that he complied with the notice requirement seven years after commencing his light-duty job, Rezendes asserts that ' 28-33-18.2 does not contemplate a time frame for giving notice. In the absence of such a specified period, we construe the notice requirement to be performed within a reasonable time. Such a construction is consonant with the plain language of ' 28-33-18.2. The Legislature specifically provided that an employee may be “offered suitable alternative employment as agreed to by the employee and employer with written notice to the director.” Section 28-33-18.2(a). (Emphasis added.) The preposition “with” is defined inter alia as “expressing \* \* \* accompanying conditions.” The Oxford Dictionary and Thesaurus 1765 (American ed. 1996). We construe the language of the statute to mean that the Legislature intended that notice to the director accompany mutual assent, or at a minimum, be given within a reasonable time from accepting an offer of a light-duty job.

#### “With” requires an exchange

MacMillan 16 – MacMillan Dictionary, “with”, http://www.macmillandictionary.com/dictionary/american/with

2 used for saying that people share or exchange things

She shares her food with all the family.

Most countries had already stopped trading with South Africa.

### QPQ---Aff---Both

#### Economic engagement can be conditional or unconditional.

Kahler and Kastner 6 — Miles Kahler, Rohr Professor of Pacific International Relations at the school of International Relations and Pacific Studies and Distinguished Professor of Political Science at the University of California-San Diego, holds a Ph.D. in Political Science from Harvard University, and Scott L. Kastner, Associate Professor of International Relations at the University of Maryland, holds a Ph.D. in Political Science from the University of California-San Diego, 2006 (“Strategic Uses of Economic Interdependence: Engagement Policies on the Korean Peninsula and Across the Taiwan Strait,” *Journal of Peace Research*, Volume 43, Number 5, Available Online to Subscribing Institutions via SAGE Publications Online, p. 524-525)

Economic engagement – a policy of deliberately expanding economic ties with an adversary in order to change the behavior of the target state and improve bilateral political relations – is a subject of growing interest in international relations. Most research on economic statecraft emphasizes coercive policies such as economic sanctions. This emphasis on negative forms of economic statecraft is not without justification: the use of economic sanctions is widespread and well documented, and several quantitative studies have shown that adversarial relations between countries tend to correspond to reduced, rather than enhanced, levels of trade (Gowa, 1994; Pollins, 1989). At the same time, however, relatively little is known about how often strategies of economic engagement are deployed: scholars disagree on this point, in part because no database cataloging instances of positive economic statecraft exists (Mastanduno, 2003). Beginning with the classic work of Hirschman (1945), most studies of economic engagement have been limited to the policies of great powers (Mastanduno, 1992; Davis, 1999; Skalnes, 2000; Papayoanou & Kastner, 1999/2000; Copeland, 1999/2000; Abdelal & Kirshner, 1999/2000). However, engagement policies adopted by South Korea and one other state examined in this study, Taiwan, demonstrate that engagement is not a strategy limited to the domain of great power politics and that it may be more widespread than previously recognized.

We begin by developing a theoretical approach to strategies of economic engagement. Based on the existing literature, our framework distinguishes different forms of economic engagement and identifies the factors likely to facilitate or undermine the implementation of these strategies. We then evaluate our hypotheses by examining the use of economic engagement on the Korean Peninsula and across the Taiwan Strait. Because our conclusions are derived from a small number of cases, we are cautious in making claims that our findings can be generalized. The narratives that we provide and the conclusions that we draw from them may, however, spur further research on this interesting and important feature of security policy and international politics.

Economic Engagement: Strategies and Expectations

Scholars have usefully distinguished between two types of economic engagement: conditional policies that require an explicit quid pro quo on the part of the target country and policies that are unconditional.1 Conditional policies, sometimes labeled linkage or economic ‘carrots’, are the inverse of economic sanctions. Instead of threatening a target country with economic loss (sanction) in the absence of policy change, conditional engagement policies promise increased economic benefits in return for desired policy change. Drezner (1999/2000) has proposed several plausible predictions regarding the employment of conditional [end page 524] strategies and the conditions of their success. He argues that the successful use of economic engagement is most likely between democracies (because democracies are better able to make credible commitments than non-democracies), within the context of international regimes (because regimes reduce the transactions costs of market exchange), and, among adversaries, only after coercive threats are first used.

The success of a conditional engagement strategy should also be contingent on a state’s influence over domestic firms. If those firms find market-based transactions with the target state unappealing, a government pursuing a conditional strategy must convince them to deal with the target when desired change occurs. On the other hand, if domestic firms have strong economic incentives to conduct economic transactions with the target state, a successful conditional strategy must prevent them from pursuing their economic exchange in the absence of the desired change in a target state’s behavior. In this regard, democracies may have a harder time pursuing a conditional strategy: in a democratic setting, firms are likely to be openly critical of politicians who try to restrict their commercial activities and will support candidates who do not place such demands on them. Our first hypothesis (H1), therefore, is that conditional engagement strategies will be less likely to succeed if the initiating state is a democracy, especially when underlying economic incentives to trade with or invest in the target state are strong.2

Unconditional engagement strategies are more passive than conditional variants in that they do not include a specific quid pro quo. Rather, countries deploy economic links with an adversary in the hopes that economic interdependence itself will, over time, change the target’s foreign policy behavior and yield a reduced threat of military conflict. How increased economic integration at the bilateral level might produce an improved bilateral political environment is not obvious. While most empirical studies on the subject find that increased economic ties tend to be associated with a reduced likelihood of military violence, no consensus explanation exists (e.g. Russett & Oneal, 2001; Oneal & Russett, 1999; for less sanguine results, see Barbieri, 1996). At a minimum, state leaders might seek to exploit two causal pathways by pursuing a policy of unconditional engagement: economic interdependence can act as a constraint on the foreign policy behavior of the target state, and economic interdependence can act as a transforming agent that reshapes the goals of the target state.

#### Unconditional engagement *includes the aff*.

Litwak 7 — Robert S. Litwak, Director of the Division of International Security Studies at the Woodrow Wilson International Center for Scholars, former director for nonproliferation on the National Security Council staff, 2007 (“Strategies for a Change of Regime — or for Change within a Regime?,” *Regime Change: U.S. Strategy Through the Prism of 9/11*, Published by JHU Press, ISBN 0801886422, p. 116-117)

Under unconditional engagement, a policy change is made with no explicit expectation of reciprocation by the target state. This shift can take the form of a political gesture at the governmental level to reduce tensions and facilitate additional steps to improve relations — such as the United States's symbolic lifting of some minor economic sanctions on Iran in March [end page 116] 2000.43 Alternatively, unconditional engagement can be conducted through nongovernmental actors operating at the societal level to promote change. In a case where the economy is not totally state-controlled, economic contacts can foster the development of autonomous interest groups. The easing of travel restrictions can permit the flow of people and ideas into the target state and promote the positive evolution of the state's civil society. Economic, scientific, cultural, and other activities outside the regime's direct control can become seeds of long-term change. China is the most striking and important example of this phenomenon. The exponential expansion of China's private sector and its increased links to the outside world at the societal level have been both a reflection of domestic reform and spurs for further measures to promote democratization and the creation of a market economy. Cuba and Iran are both candidates for unconditional engagement — where some experts believe such activities would strengthen civil society.44

#### Economic engagement can be conditional or unconditional and targets government and the private sector.

Haass and O’Sullivan 2k — Richard N. Haass, Vice President and Director of Foreign Policy Studies at the Brookings Institution, former senior aide to President George Bush, and Meghan L. O’Sullivan, Fellow with the Foreign Policy Studies Program at the Brookings Institution, 2000 (“Terms of Engagement: Alternatives to Punitive Policies,” *Survival*, Volume 42, Number 2, Summer, Available Online at <http://www.brookings.edu/~/media/research/files/articles/2000/6/summer%20haass/2000survival.pdf>, p. 2)

Many different types of engagement strategies exist, depending on who is engaged, the kind of incentives employed and the sorts of objectives pursued. Engagement may be conditional when it entails a negotiated series of exchanges, such as where the US extends positive inducements for changes undertaken by the target country. Or engagement may be unconditional if it offers modifications in US policy towards a country without the explicit expectation that a reciprocal act will follow. Generally, conditional engagement is geared towards a government; unconditional engagement works with a country’s civil society or private sector in the hopes of promoting forces that will eventually facilitate cooperation.

#### Economic engagement includes both conditional and unconditional policies.

Kahler and Kastner 6 — Miles Kahler, Rohr Professor of Pacific International Relations at the school of International Relations and Pacific Studies and Distinguished Professor of Political Science at the University of California-San Diego, holds a Ph.D. in Political Science from Harvard University, and Scott L. Kastner, Associate Professor of International Relations at the University of Maryland, holds a Ph.D. in Political Science from the University of California-San Diego, 2006 (“Strategic Uses of Economic Interdependence: Engagement Policies in South Korea, Singapore, and Taiwan,” Draft of a Manuscript Later Published in the *Journal of Peace Research*, Available Online at <http://www.bsos.umd.edu/gvpt/kastner/KahlerKastner.doc>, Accessed 05-06-2013)

Scholars have usefully distinguished between two types of economic engagement: conditional policies that require an explicit quid-pro-quo on the part of the target country, and policies that are unconditional. Conditional policies, sometimes called “linkage” or economic “carrots,” are the inverse of economic sanctions. Instead of threatening a target country with a sanction absent a change in policy, conditional engagement policies promise increased economic flows in exchange for policy change. Drezner’s (1999/2000) analysis of conditional economic inducements yields a set of highly plausible expectations concerning when conditional strategies are likely to be employed, and when they are likely to succeed. Specifically, he suggests that reasons exist to believe, a priori, that policies of conditional engagement will be less prevalent than economic sanctions. First, economic coercion is costly if it fails (sanctions are only carried out if the target country fails to change policy), while conditional engagement is costly if it succeeds (economic payoffs are delivered only if the target country does change policy). Second, states may be reluctant to offer economic inducements with adversaries with whom they expect long-term conflict, as this may undermine their resolve in the eyes of their opponent while also making the opponent stronger. Third, the potential for market failure in an anarchic international setting looms large: both the initiating and the target states must be capable of making a credible commitment to uphold their end of the bargain. These factors lead Drezner to hypothesize that the use of economic carrots is most likely to occur and succeed between democracies (because democracies are better able to make credible commitments than non-democracies), within the context of international regimes (because such regimes reduce the transactions costs of market exchange), and, among adversaries, only after coercive threats are first used.

Unconditional engagement strategies are more passive in that they do not include a specific quid-pro-quo. Rather, countries deploy economic links with an adversary in the hopes that economic interdependence itself will, over time, effect change in the target’s foreign policy behavior and yield a reduced threat of military conflict at the bilateral level. How increased commercial and/or financial integration at the bilateral level might yield an improved bilateral political environment is not obvious. While most empirical studies on the subject find that increased economic ties tend to be associated with a reduced likelihood of military violence, no consensus exists regarding how such effects are realized. At a minimum, two causal pathways exist that state leaders might seek to exploit by pursuing a policy of unconditional engagement: economic interdependence can act as a constraint on the foreign policy behavior of the target state, and economic interdependence can act as a transforming agent that helps to reshape the goals of the target state.

#### Unconditional engagement can be used to constrain or transform the target nation’s behavior.

Kahler and Kastner 6 — Miles Kahler, Rohr Professor of Pacific International Relations at the school of International Relations and Pacific Studies and Distinguished Professor of Political Science at the University of California-San Diego, holds a Ph.D. in Political Science from Harvard University, and Scott L. Kastner, Associate Professor of International Relations at the University of Maryland, holds a Ph.D. in Political Science from the University of California-San Diego, 2006 (“Strategic Uses of Economic Interdependence: Engagement Policies in South Korea, Singapore, and Taiwan,” Draft of a Manuscript Later Published in the *Journal of Peace Research*, Available Online at <http://www.bsos.umd.edu/gvpt/kastner/KahlerKastner.doc>, Accessed 05-06-2013)

In summary, we have distinguished between three types of economic engagement: conditional engagement (linkage); unconditional engagement seeking to utilize the constraining effects of economic interdependence; and unconditional engagement seeking to utilize the transforming effects of economic interdependence. We have also outlined a number of expectations, mostly drawn from the existing literature, regarding the conditions likely to facilitate the use of these various strategies. In the remainder of this essay we examine the engagement policies of South Korea, Singapore and Taiwan, and we use these cases to draw conclusions concerning the conditions facilitating the strategic use of economic interdependence.

#### Engagement includes conditional and unconditional incentives.

Haass and O’Sullivan 2k — Richard N. Haass, Vice President and Director of Foreign Policy Studies at the Brookings Institution, former senior aide to President George Bush, and Meghan L. O’Sullivan, Fellow with the Foreign Policy Studies Program at the Brookings Institution, 2000 (“Engaging Problem Countries,” Brookings Institution, June, Available Online at http://www.brookings.edu/research/papers/2000/06/sanctions-haass, Accessed 05-06-2013)

Engagement as a policy is not merely the antithesis of isolation. Rather, it involves the use of economic, political, or cultural incentives to influence problem countries to alter their behavior in one or more realms. Such a strategy can take a variety of forms. Conditional engagement is a government-to-government affair in which the United States offers inducements to a target regime in exchange for specified changes in behavior. This was the approach favored in 1994 when the United States and North Korea entered into a framework agreement under which Pyongyang pledged to curtail its nuclear weapons development in exchange for shipments of fuel, construction of a new generation of nuclear power-generating reactors, and a degree of diplomatic normalization. In contrast, unconditional engagement is less contractual, with incentives being extended without the explicit expectation that a reciprocal act will follow. Unconditional engagement makes the most sense in promoting civil society in hopes of creating an environment more conducive to reform.

#### Economic engagement includes both conditional and unconditional incentives.

Jakštaitė 10 — Gerda Jakštaitė, Doctoral Candidate in Political Sciences and Diplomacy at Vytautas Magnus University (Lithuania), 2010 (“Containment and Engagement as Middle-Range Theories,” *Baltic Journal of Law & Politics*, Volume 3, Number 2, December, Available Online at <http://www.degruyter.com/view/j/bjlp.2010.3.issue-2/v10076-010-0015-7/v10076-010-0015-7.xml?format=INT>, Accessed 05-06-2013, p. 188-189)

Proponents of economic engagement do not provide a detailed description of the means of this form of engagement, but identify a number of possible variants of engagement: conditional economic engagement, using the restrictions caused by economic dependency and unconditional economic engagement by exploiting economic dependency caused by the flow. Conditional economic engagement, sometimes called linkage or economic carrots engagement, could be described as conflicting with economic sanctions. A state that implements this form of engagement instead of menacing to use sanctions for not changing policy course [end page 188] promises for a target state to provide more economic benefits in return for the desired political change. Thus, in this case economic ties are developed depending on changes in the target state’s behaviour.99

Unconditional economic engagement is more moderate form of engagement. Engagement applying state while developing economic relations with an adversary hopes that the resulting economic dependence over time will change foreign policy course of the target state and reduce the likelihood of armed conflict. Theorists assume that economic dependence may act as a restriction of target state’s foreign policy or as transforming factor that changes target state’s foreign policy objectives.100

Thus, economic engagement focuses solely on economic measures (although theorists do not give a more detailed description), on strategically important actors of the international arena and includes other types of engagement, such as the conditional-unconditional economic engagement.

#### Economic engagement can be *either* conditioned or unconditional.

Kartman 9 — Charles Kartman, Former Director, Korean Peninsula Energy Development Organization (KEDO), Susan Shirk, Director, Institute on Global Conflict and Cooperation (IGCC), Ho Miu Lam Professor, School of International Relations and Pacific Studies, UC San Diego, John Delury, Associate Director of the Center on U.S.-China Relations, Asia Society, 2009 (“North Korea Inside Out: The Case for Economic Engagement,” Report of an Independent Task Force convened by Asia Society Center on U.S.-China Relations and The University of California Institute on Global Conflict and Cooperation, October, Available Online: <http://www.nkeconwatch.com/nk-uploads/north_korea_inside_out.pdf>, Date Accessed: 05/06/2013)

A second objection is that engagement should be conditioned on North Korean behavior. In the past, Washington has conditioned engagement with North Korea on progress in denuclearization. This strategy puts the cart before the horse, and has been unsuccessful. It has the perverse result of strengthening arguments inside North Korea that the country needs a strong deterrent to protect itself from outside threats. The U.S. can better advance its aims by opening the space for change to take place from the ground up.

While some engagement should continue to be conditioned on progress on the nuclear and other fronts, many forms of engagement should proceed with no conditions attached. Our report is focused on the economic side of engagement, and particularly on forms of economic engagement that can and should proceed now, without any conditionality, as first steps in a process of phased engagement.

### QPQ---Aff---Unconditional

#### Engagement must be unconditional—it’s *distinct* from conditional policies.

Smith 5 — Karen E. Smith, Professor of International Relations and Director of the European Foreign Policy Unit at the London School of Economics, 2005 (“Engagement and conditionality: incompatible or mutually reinforcing?,” *Global Europe: New Terms of Engagement*, May, Available Online at http://mercury.ethz.ch/serviceengine/Files/ISN/24863/ichaptersection\_singledocument/273de787-0ede-4c7e-a001-94d09f793f1b/en/03\_Conditionality.pdf, Accessed 07-25-2013, p. 23)

First, a few definitions. ‘Engagement’ is a foreign policy strategy of building close ties with the government and/or civil society and/or business community of another state. The intention of this strategy is to undermine illiberal political and economic practices, and socialise government and other domestic actors into more liberal ways. Most cases of engagement entail primarily building economic links, and encouraging trade and investment in particular. Some observers have variously labelled this strategy one of interdependence, or of ‘oxygen’: economic activity leads to positive political consequences.19

‘Conditionality’, in contrast, is the linking, by a state or international organisation, of perceived benefits to another state (such as aid or trade concessions) to the fulfilment of economic and/or political conditions. ‘Positive conditionality’ entails promising benefits to a state if it fulfils the conditions; ‘negative conditionality’ involves reducing, suspending, or terminating those benefits if the state violates the conditions (in other words, applying sanctions, or a strategy of ‘asphyxiation’).20 To put it simply, engagement implies ties, but with no strings attached; conditionality attaches the strings. In another way of looking at it, engagement is more of a bottom-up strategy to induce change in another country, conditionality more of a top-down strategy.

#### Economic engagement excludes short-term policies — it must be unconditional.

Çelik 11 — Arda Can Çelik, Graduate Student in the Department of Peace and Conflict Research at Uppsala University (Sweden), 2011 (*Economic Sanctions and Engagement Policies*, Published by GRIN Verlag, ISBN 9783640962907, p. 11)

Economic engagement policies are strategic integration behaviour which involves with the target state. Engagement policies differ from other tools in Economic Diplomacy. They target to deepen the economic relations to create economic intersection, interconnectness, and mutual dependence and finally seeks economic interdependence. This interdependence serves the sender state to change the political behaviour of target state. However they cannot be counted as carrots or inducement tools, they focus on long term strategic goals and they are not restricted with short term policy changes. (Kahler&Kastner, 2006) They can be unconditional and focus on creating greater economic benefits for both parties. Economic engagement targets to seek deeper economic linkages via promoting institutionalized mutual trade thus mentioned interdependence creates two major concepts. Firstly it builds strong trade partnership to avoid possible militarized and non militarized conflicts. Secondly it gives a leeway to perceive the international political atmosphere from the same and harmonized perspective. Kahler and Kastner define the engagement policies as follows “It is a policy of deliberate expanding economic ties with and adversary in order to change the behaviour of target state and improve bilateral relations’’. (p523-abstact). It is an intentional economic strategy that expects bigger benefits such as long term economic gains and more importantly; political gains. The main idea behind the engagement motivation is stated by Rosecrance (1977) in a way that ‘’the direct and positive linkage of interests of states where a change in the position of one state affects the position of others in the same direction.’’

# \*\*\* SUBSTANTIALLY

### Substantially – 1NC

#### “Substantial increase” must be at least

UNEP 2 (United Nations Environmental Program, 10-2, www.unep.org/geo/geo3/english/584.htm)

Change in selected pressures on natural ecosystems 2002-32. For the ecosystem quality component, see the explanation of the Natural Capital Index. Values for the cumulative pressures were derived as described under Natural Capital Index. The maps show the relative increase or decrease in pressure between 2002 and 2032. 'No change' means less than 10 per cent change in pressure over the scenario period; small increase or decrease means between 10 and 50 per cent change; substantial increase or decrease means 50 to 100 per cent change; strong increase means more than doubling of pressure. Areas which switch between natural and domesticated land uses are recorded separately.

#### Voting issue ---

#### 1. Impossible Affs --- a restrictive interpretation of ‘substantial’ is the only check on topic explosion. The ‘double whammy’ a huge topic with tiny cases that avoid core arguments makes it impossible for the Neg to compete.

#### 2. Hold the line --- substantially is hard to judge, but subjectivity is inevitable and it’s better to make a determination about what the word means than to allow an endless proliferation of Affs.

### Substantially – A2: Arbitrary

#### ‘Substantially’ isn’t precise --- but still must be given meaning. The most objective way to define it contextually.

Devinsky 2 (Paul, “Is Claim "Substantially" Definite?  Ask Person of Skill in the Art”, IP Update, 5(11), November, http://www.mwe.com/index.cfm/fuseaction/publications.nldetail/object\_id/c2c73bdb-9b1a-42bf-a2b7-075812dc0e2d.cfm)

In reversing a summary judgment of invalidity, the U.S. Court of Appeals for the Federal Circuit found that the district court, by failing to look beyond the intrinsic claim construction evidence to consider what a person of skill in the art would understand in a "technologic context," erroneously concluded the term "substantially" made a claim fatally indefinite.  Verve, LLC v. Crane Cams, Inc., Case No. 01-1417 (Fed. Cir. November 14, 2002). The patent in suit related to an improved push rod for an internal combustion engine.  The patent claims a hollow push rod whose overall diameter is larger at the middle than at the ends and has "substantially constant wall thickness" throughout the rod and rounded seats at the tips.  The district court found that the expression "substantially constant wall thickness" was not supported in the specification and prosecution history by a sufficiently clear definition of "substantially" and was, therefore, indefinite.  The district court recognized that the use of the term "substantially" may be definite in some cases but ruled that in this case it was indefinite because it was not further defined. The Federal Circuit reversed, concluding that the district court erred in requiring that the meaning of the term "substantially" in a particular "technologic context" be found solely in intrinsic evidence:  "While reference to intrinsic evidence is primary in interpreting claims, the criterion is the meaning of words as they would be understood by persons in the field of the invention."  Thus, the Federal Circuit instructed that "resolution of any ambiguity arising from the claims and specification may be aided by extrinsic evidence of usage and meaning of a term in the context of the invention."  The Federal Circuit remanded the case to the district court with instruction that "[t]he question is not whether the word 'substantially' has a fixed meaning as applied to 'constant wall thickness,' but how the phrase would be understood by persons experienced in this field of mechanics, upon reading the patent documents."

#### “Substantially” needs to be given a quantitative meaning --- any other interpretation is more arbitrary

Webster’s 3 (Merriam Webster’s Dictionary, www.m-w.com)

Main Entry: sub.stan.tial

b : considerable in quantity : significantly great <earned a substantial wage>

#### Make the best determination available. Substantially must be given meaning

Words and Phrases 60 (Vol. 40, State – Subway, p. 762)

“Substantial” is a relative word, which, while it must be used with care and discrimination, must nevertheless be given effect, and in a claim of patent allowed considerable latitude of meaning where it is applied to such subject as thickness, as by requiring two parts of a device to be substantially the same thickness, and cannot be held to require them to be of exactly the same thickness. Todd. V. Sears Roebuck & Co., D.C.N.C., 199 F.Supp. 38, 41.

#### Using context removes the arbitrariness of assigning a fixed percentage to “substantial”

Viscasillas 4 – professor at the Universidad Carlos III de Madrid, (Pilar, “Contracts for the Sale of Goods to Be Manufactured or Produced and Mixed Contracts (Article 3 CISG)”, CISG Advisory Council Opinion No. 4, 10-24, <http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146>)  
2.8. Legal writers who follow the economic value criterion have generally quantified the term "substantial part" by comparing Article 3(1) CISG (substantial) with Article 3(2) CISG (preponderant): substantial being less than preponderant. In this way, legal writers have used the following percentages to quantify substantial: 15%,[[14]](http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146#14) between 40% and 50%,[[15]](http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146#15) or more generally 50%.[[16]](http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146#16) At the same time, other authors, although they have not fixed any numbers in regard to the quantification of the term "substantial" have declared that "preponderant" means "considerably more than 50% of the price" or "clearly in excess of 50%".[[17]](http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146#17) Thus it seems that for the latter authors, the quantification of the term "substantial" is placed above the 50% figure. Also, some Courts have followed this approach.[[18]](http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146#18)

2.9. To consider a fixed percentage might be arbitrary due to the fact that the particularities of each case ought to be taken into account; that the scholars are in disagreement; and that the origin of those figures is not clear.[[19]](http://cisgac.com/default.php?ipkCat=128&ifkCat=146&sid=146#19)

Therefore, it does not seem to be advisable to quantify the word "substantial" *a priori* in percentages. A case-by-case analysis is preferable and thus it should be determined on the basis of an overall assessment.

**Contextual definitions of “substantial” solve arbitrariness   
Tarlow** 00 – Nationally prominent criminal defense lawyer practicing in Los Angeles, CA. He is a frequent author and lecturer on criminal law. He was formerly a prosecutor in the United States Attorney's Office and is a member of The Champion Advisory Board (Barry, The Champion January/February, lexis)

In *Victor*, the trial court instructed that: "A reasonable doubt is an actual and substantial doubt . . . as distinguished from a doubt arising from mere  [\*64]  possibility, from bare imagination, or from fanciful conjecture." Victor argued on appeal after receiving the death penalty that equating a reasonable doubt with a "substantial doubt" overstated the degree of doubt necessary for acquittal. Although the court agreed that the instruction was problematic given that "substantial," could be defined as "that specified to a large degree," it also ruled that any ambiguity was removed by reading the phrase in the context of the sentence in which it appeared. Finding such an explicit distinction between a substantial doubt and a fanciful conjecture was not present in the *Cage* instruction, it held that the context makes clear that "substantial" was used in the sense of existence rather than in magnitude of the doubt and, therefore, it was not unconstitutional as applied. [*Id. at 1250*](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/mungo/lexseestat.do?bct=A&risb=21_T11113058883&homeCsi=154153&A=0.08807382399355024&urlEnc=ISO-8859-1&&citeString=114%20S.%20Ct.%201239,at%201250&countryCode=USA).

**Even if a substantial increase isn’t precise --- you should still exclude their Aff for being tiny. Even judges can make a gut check.**

**Hartmann 7** – Judge, Hong Kong (IN THE HIGH COURT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION COURT OF FIRST INSTANCE, 8/20, http://legalref.judiciary.gov.hk/lrs/common/ju/ju\_frame.jsp?DIS=58463&currpage=T

 The word ‘substantial’ is not a technical term nor is it a word that lends itself to a precise measurement.  In an earlier judgment on this issue, that of S. v. S. [2006] 3 HKLRD 251, I said that it is not a word —

“… that lends itself to precise definition or from which precise deductions can be drawn.  To say, for example, that ‘there has been a substantial increase in expenditure’ does not of itself allow for a calculation in numerative terms of the exact increase.  It is a statement to the effect that it is certainly more than a little but less than great.  It defines, however, a significant increase, one that is weighty or sizeable.”

### Substantially – 2%

#### “Substantial” must be at least 2%

Words & Phrases 60

'Substantial" means "of real worth and importance; of considerable value; valuable." Bequest to charitable institution, making 1/48 of expenditures in state, held exempt from taxation; such expenditures constituting "substantial" part of its activities. Tax Commission of Ohio v. American Humane Education Soc., 181 N.E. 557, 42 Ohio App. 4.

### Substantially – 10%

#### Less than 10% is insubstantial

Mickels 8 (Alissa, JD Candidate – Hastings College of Law, “Summary of Existing US Law Affecting Fourth Sector Organizations”, 7-17, [http://www.fourthsector.net/attachments/7/original/Summary\_of\_US\_Law\_Affecting\_ FS.pdf?1229493187](http://www.fourthsector.net/attachments/7/original/Summary_of_US_Law_Affecting_FS.pdf?1229493187))

Substantial v. insubstantial: Modern courts consider competition with commercial firms as “strong evidence of a substantial nonexempt purpose.” Living Faith, Inc. v. Comm’r, 60 T.C.M. 710, 713 (1990). Although the tax court has held that the definition of insubstantial is fact specific, it has found that less than ten percent of a charity’s total efforts is “insubstantial”, World Family Corp. v. Comm’r, 78 T.C. 921 (1982), where as unrelated business activity generating one-third of an organizations revenue does not qualify for tax-exempt status. Orange County Agric. Soc’y, Inc. v. Comm’r, 55 T.C.M. 1602, 1604 (1988), aff’d 893 F.2d 647 (2d Cir. 1990). However, this may be changing after an increasing emphasis on commensurate test.

### Substantially – 33%

#### “Substantially” means 33 percent

Maples 7 (Larry, “Pitfalls in Preserving Net Operating Losses”, The CPA Journal, 3-1, Lexis)

If a new loss corporation has substantial nonbusiness assets, the value of the old loss corporation must be reduced by the amount of the nonbusiness assets less liabilities attributable to those assets. "Substantial" is defined as one-third of total assets. This is a difficult provision to interpret. IRC section 382(1)(4) provides that a value reduction in the old loss corporation is required if, just after an ownership change, the new loss corporation has substantial nonbusiness assets. This language seems odd because the purpose of IRC section 382 is to prevent loss trafficking, so it would seem that the asset test ought to apply to the old loss corporation.

### Substantially – 40%

#### “Substantially” means 40% --- strict quantification avoids vagueness

Schwartz 4 (Arthur, Lawyer – Schwartz + Goldberg, 2002 U.S. Briefs 1609, Lexis)

In the opinion below, the Tenth Circuit suggested that a percentage figure would be a way to avoid vagueness issues. (Pet. App., at 13-14) Indeed, one of the Amici supporting the City in this case, the American Planning Association, produced a publication that actually makes a recommendation of a percentage figure that should be adopted by municipalities in establishing zoning  [\*37]  regulations for adult businesses. n8 The APA's well researched report recommended that the terms "substantial" and "significant" be quantified at 40 percent for floor space or inventory of a business in the definition of adult business. n9 (Resp. Br. App., at 15-16)

### Substantially – 50%

#### Less than 50% is insubstantial

Brown 94 (Mark R., Professor of Law – Stetson University College of Law, “The Demise of Constitutional Prospectivity: New Life for Owen?”, Iowa Law Review, January, 79 Iowa L. Rev. 273, Lexis)

n241 I am assuming here that "foreseeable" means "probable," as in "more probable than not." This appears to be a safe assumption given the proliferance of cases granting immunity to officials who offend the Constitution. If this definition is correct, deterrence only works and liability should only attach if one's conduct, viewed ex ante, is more likely illegal than legal: the risk of illegality must be more than fifty percent. In other words, one cannot face deterrence, and liability will not attach, if the risk of illegality is less than fifty percent. (When viewed in this fashion, one might perceive a risk of illegality but still not be deterrable because the risk is not substantial, i.e., not greater than fifty percent.). Lawful conduct, of course, need not be probably lawful. That is what risk is about. Situations might arise where the objective risk is that conduct is unlawful, but ex post it is lawful. Lest judicial reasoning be completely askew, a fairly strong correlation exists, however, between action that is ex ante probably lawful and that which is lawful ex post in the courts. If this is not true, then courts are reaching objectively improbable conclusions, and the whole idea of reliance is illusory.

#### Legal experts agree

Davignon v. Clemmey 1 (Davignon v. Clemmey, 176 F. Supp. 2d 77, Lexis)

The court begins the lodestar calculation by looking at the contemporaneous billing records for each person who worked on the plaintiff's case. The absence of detailed contemporaneous time records, except in extraordinary circumstances, will call for a substantial reduction in any award or, in egregious cases, disallowance. What is a "substantial reduction"? Fifty percent is a favorite among judges.

### Substantially – 90%

#### “Substantially” means at least 90%

Words & Phrases 5 (40B, p. 329)

N.H. 1949. -The word "substantially" as used in provision of Unemployment Compensation Act that experience rating of an employer may transferred to' an employing unit which acquires the organization, -trade, or business, or "substantially" all of the assets thereof, is 'an elastic term which does not include a definite, fixed amount of percentage, and the transfer does not have to be 100 per cent but cannot be less than 90 per cent in the ordinary situation. R.L c. 218, § 6, subd. F, as added by Laws 1945, c. 138, § 16.-Auclair Transp. v. Riley, 69 A.2d 861, 96 N.H. l.-Tax347.1.

### Substantially – Context Key

#### “Substantially” is a relative term --- context key

Words and Phrases 64 (Vol. 40, p. 816)

The word “substantially” is a relative term and should be interpreted in accordance with the context of claim in which it is used. Moss v. Patterson Ballagh Corp. D.C.Cal., 80 P.Supp. C10, 637.

#### "Substantially" must be gauged in context

Words and Phrases 2 (Volume 40A, p. 464)

Cal. 1956. “Substantial” is a relative term, its measure to be gauged by all the circumstances surrounding the matter in reference to which the expression has been used

#### Context is key --- "substantially" has no exact meaning

Words and Phrases 2 (Volume 40A, p. 483)

The word “substantial” is susceptible to different meanings according to the circumstances, and is variously defined as actual, essential, material, fundamental, although no rule of thumb can be laid down fixing its exact meaning

#### "Substantially" should be defined on a case-by-case basis

Edlin 2 (Aaron, Professor of Economics and Law – University of California Berkeley School of Law, January, 111 Yale L.J. 941)

Might price reductions of less than twenty percent qualify as substantial? In some markets they should, and it would be reasonable to decide substantiality on a case-by-case basis. One advantage of a bright-line rule is that it would let incumbents know where they stand. Monopolies that price only slightly above their average cost would be insulated from the entry of higher-cost entrants if they could credibly convey a willingness to price below the entrants' cost after entry, as illustrated in Part III. However, these monopolies do consumers little harm and may enhance market efficiency.

### Substantially – Impact

#### “Substantially” must be given meaning

Words and Phrases 60 (Vol. 40, State – Subway, p. 762)

“Substantial” is a relative word, which, while it must be used with care and discrimination, must nevertheless be given effect, and in a claim of patent allowed considerable latitude of meaning where it is applied to such subject as thickness, as by requiring two parts of a device to be substantially the same thickness, and cannot be held to require them to be of exactly the same thickness. Todd. V. Sears Roebuck & Co., D.C.N.C., 199 F.Supp. 38, 41.

### Substantially – Considerable

#### "Substantial" means of real worth or considerable value --- this is the USUAL and CUSTOMARY meaning of the term

Words and Phrases 2 (Volume 40A, p. 458)

D.S.C. 1966. The word “substantial” within Civil Rights Act providing that a place is a public accommodation if a “substantial” portion of food which is served has moved in commerce must be construed in light of its usual and customary meaning, that is, something of real worth and importance; of considerable value; valuable, something worthwhile as distinguished from something without value or merely nominal

#### “Substantial” means considerable or to a large degree --- this common meaning is preferable because the word is not a term of art

Arkush 2 (David, JD Candidate – Harvard University, “Preserving "Catalyst" Attorneys' Fees Under the Freedom of Information Act in the Wake of Buckhannon Board and Care Home v. West Virginia Department of Health and Human Resources”, Harvard Civil Rights-Civil Liberties Law Review, Winter,   
37 Harv. C.R.-C.L. L. Rev. 131)

Plaintiffs should argue that the term "substantially prevail" is not a term of art because if considered a term of art, resort to Black's 7th produces a definition of "prevail" that could be interpreted adversely to plaintiffs. [99](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=16&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all#n99) It is commonly accepted that words that are not legal terms of art should be accorded their ordinary, not their legal, meaning, [100](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=16&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all#n100) and ordinary-usage dictionaries provide FOIA fee claimants with helpful arguments. The Supreme Court has already found favorable, temporally relevant definitions of the word "substantially" in ordinary dictionaries: "Substantially" suggests "considerable" or "specified to a large degree." See Webster's Third New International Dictionary 2280 (1976) (defining "substantially" as "in a substantial manner" and "substantial" as "considerable in amount, value, or worth" and "being that specified to a large degree or in the main"); see also 17 Oxford English Dictionary 66-67 (2d ed. 1989) ("substantial": "relating to or proceeding from the essence of a thing; essential"; "of ample or considerable amount, quantity or dimensions"). [101](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=16&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all#n101)

#### Substantial means “of considerable amount” – not some contrived percentage

Prost 4 (Judge – United States Court of Appeals for the Federal Circuit, “Committee For Fairly Traded Venezuelan Cement v. United States”, 6-18, http://www.ll.georgetown.edu/federal/judicial/fed/opinions/04opinions/04-1016.html)

The URAA and the SAA neither amend nor refine the language of § 1677(4)(C).  In fact, they merely suggest, without disqualifying other alternatives, a “clearly higher/substantial proportion” approach.  Indeed, the SAA specifically mentions that no “precise mathematical formula” or “‘benchmark’ proportion” is to be used for a dumping concentration analysis.  SAA at 860 (citations omitted); see also Venez. Cement, 279 F. Supp. 2d at 1329-30.  Furthermore, as the Court of International Trade noted, the SAA emphasizes that the Commission retains the discretion to determine concentration of imports on a “case-by-case basis.”  SAA at 860.  Finally, the definition of the word “substantial” undercuts the CFTVC’s argument.  The word “substantial” generally means “considerable in amount, value or worth.”  Webster’s Third New International Dictionary 2280 (1993).  It does not imply a specific number or cut-off.  What may be substantial in one situation may not be in another situation.  The very breadth of the term “substantial” undercuts the CFTVC’s argument that Congress spoke clearly in establishing a standard for the Commission’s regional antidumping and countervailing duty analyses.  It therefore supports the conclusion that the Commission is owed deference in its interpretation of “substantial proportion.”  The Commission clearly embarked on its analysis having been given considerable leeway to interpret a particularly broad term.

### Substantially – Considerable

#### "Substantial" means considerable in amount or value

Words and Phrases 2 (Volume 40A) p. 453

N.D.Ala. 1957. The word “substantial” means considerable in amount, value, or the like, large, as a substantial gain

#### “Substantial” means having worth or value

Ballentine's 95 (Legal Dictionary and Thesaurus, p. 644)

having worth or value

### Substantially – Real

#### "Substantial" means actually existing, real, or belonging to substance

Words and Phrases 2 (Volume 40A) p. 460

Ala. 1909. “Substantial” means “belonging to substance; actually existing; real; \*\*\* not seeming or imaginary; not elusive; real; solid; true; veritable

#### "Substantial" means having substance or considerable

Ballentine's 95 (Legal Dictionary and Thesaurus, p. 644)

having substance; considerable

### Substantially – In the Main

#### "Substantial" means in the main

Words and Phrases 2 (Volume 40A, p. 469)

Ill.App.2 Dist. 1923 “Substantial” means in substance, in the main, essential, including material or essential parts

### Substantially – Without Material Qualification

#### Substantially is without material qualification

Black’s Law 91 (Dictionary, p. 1024)

Substantially - means essentially; without material qualification.

### Substantially – Durable

#### “Substantial” means durable

Ballantine’s 94 (Thesaurus for Legal Research and Writing, p. 173)

substantial [sub . *stan* . shel] *adj*. abundant, consequential, durable, extraordinary, heavyweight, plentiful (“a substantial supply”); actual, concrete, existent, physical, righteous, sensible, tangible (“substantial problem”); affluent, comfortable, easy, opulent, prosperous, solvent.

### Substantially – Mandate

#### “Substantial” requires a certain mandate

Words and Phrases 64 (40W&P 759)

The words" outward, open, actual, visible, substantial, and exclusive," in connection with a change of possession, mean substantially the same thing. They mean not concealed; not hidden; exposed to view; free from concealment, dissimulation, reserve, or disguise; in full existence; denoting that which not merely can be, but is opposed to potential, apparent, constructive, and imaginary; veritable; genuine; certain: absolute: real at present time, as a matter of fact, not merely nominal; opposed to form; actually existing; true; not including, admitting, or pertaining to any others; undivided; sole; opposed to inclusive.

### Substantially – Not Covert

#### “Substantially” means not covert

Words & Phrases 64 (40 W&P 759)

The words “outward, open, actual, visible, substantial, and exclusive,” in connection with a change of possession, mean substantially the same thing. They mean not concealed; not hidden; exposed to view; free from concealment, dissimulation, reserve, or disguise; in full existence; denoting that which not merely can be, but is opposed to potential, apparent, constructive, and imaginary; veritable; genuine; certain; absolute; real at present time, as a matter of fact, not merely nominal; opposed to form; actually existing; true; not including admitting, or pertaining to any others; undivided; sole; opposed to inclusive.

# \*\*\* INCREASE

### Increase – Excludes Creation – 1NC

#### “Increase” means to make greater and requires pre-existence

**Buckley 6** (Jeremiah, Attorney, Amicus Curiae Brief, Safeco Ins. Co. of America et al v. Charles Burr et al, <http://supreme.lp.findlaw.com/supreme_court/briefs/06-84/06-84.mer.ami.mica.pdf>)

First, the court said that the ordinary meaning of the word “increase” is “to make something greater,” which it believed should not “be limited to cases in which a company raises the rate that an individual has previously been charged.” 435 F.3d at 1091. Yet the definition offered by the Ninth Circuit compels the opposite conclusion. Because “increase” means “to make something greater,” there must necessarily have been an existing premium, to which Edo’s actual premium may be compared, to determine whether an “increase” occurred. Congress could have provided that “ad-verse action” in the insurance context means charging an amount greater than the optimal premium, but instead chose to define adverse action in terms of an “increase.” That def-initional choice must be respected, not ignored. See Colautti v. Franklin, 439 U.S. 379, 392-93 n.10 (1979) (“[a] defin-ition which declares what a term ‘means’ . . . excludes any meaning that is not stated”). Next, the Ninth Circuit reasoned that because the Insurance Prong includes the words “existing or applied for,” Congress intended that an “increase in any charge” for insurance must “apply to all insurance transactions – from an initial policy of insurance to a renewal of a long-held policy.” 435 F.3d at 1091. This interpretation reads the words “exist-ing or applied for” in isolation. Other types of adverse action described in the Insurance Prong apply only to situations where a consumer had an existing policy of insurance, such as a “cancellation,” “reduction,” or “change” in insurance. Each of these forms of adverse action presupposes an already-existing policy, and under usual canons of statutory construction the term “increase” also should be construed to apply to increases of an already-existing policy. See Hibbs v. Winn, 542 U.S. 88, 101 (2004) (“a phrase gathers meaning from the words around it”) (citation omitted).

#### Plan creates new types of engagement --- voting issue:

#### 1. Limits --- they can create any form, the entire range of possible forms of engagement becomes topical --- overstretches Neg research burdens --- we allow a fair number of existing types like \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

#### 2. Ground --- best links assume existing policies, they change the debate from improving current engagement to creating new forms --- undermines core ground and fairness

### Increase – Excludes Creation

#### “Increase” requires pre-existence

**Brown 3** – US Federal Judge – District Court of Oregon (Elena Mark and Paul Gustafson, Plaintiffs, v. Valley Insurance Company and Valley Property and Casualty, Defendants, 7-17, Lexis)

FCRA does not define the term "increase." The plain and ordinary meaning of the verb "to increase" is to make something greater or larger. 4 Merriam-Webster's [\*\*22] Collegiate Dictionary 589 (10th ed. 1998). The "something" that is increased in the statute is the "charge for any insurance." The plain and common meaning of the noun "charge" is "the price demanded for something." Id. at 192. Thus, the statute plainly means an insurer takes adverse action if the insurer makes greater (i.e., larger) the price demanded for insurance.

An insurer cannot "make greater" something that did not exist previously. The statutory definition of adverse action, therefore, clearly anticipates an insurer must have made an initial charge or demand for payment before the insurer can increase that charge. In other words, an insurer cannot increase the charge for insurance unless the insurer previously set and demanded payment of the premium for that insured's insurance [\*\*23] coverage at a lower price.

### Increase – Excludes Creation – Statutory Construction Impact

#### Accurate application of statutory canons is the biggest impact --- it’s the only way to determine the purpose and intent of writing

Sentell 91 (R. Perry Jr., Talmadge Professor of Law – University of Georgia and LLM – Harvard University, “The Canons of Construction in Georgia: "Anachronisms" in Action”, Georgia Law Review, Winter, 25 Ga. L. Rev. 365, Lexis)

CONCLUSION  
Because the consideration of written communication is the cornerstone of the judicial process, the technique involved in that consideration has intrigued the ages. That technique, judicial interpretation, [\*434]  attempts a highly delicate balance. On the one hand, it acknowledges the legendary imprecision of language. On the other hand, it seeks to glean from that language the elusive signals of purpose, meaning and intent. A "science" so inexact incessantly craves a semblance of constants -- conventions assisting to impose order upon understanding.  
Roman law, and subsequently the English common-law system, sought to appease this insatiable desire by offering up the canons of construction. The canons, fundamental maxims of compositional meaning, have proved both vulnerable and venerable. Their existence has provided an irresistible historic target for a labyrinth of denigrating commentary. Yet the courts, the construers themselves, have claimed the canons as their own, affording them a determinative role in judicial decisionmaking which transverses the spectrum of litigation. Accordingly, the critics are left with little choice but to concede the canons' existence and shaping influence, while pleading for caution in their invocation.  
From the canonical mass, the most popular and powerful maxims of meaning are perhaps the three here selected for treatment: Noscitur a sociis, Ejusdem generis and Expressio unius est exclusio alterius. Although different, the three precepts are also similar -- they counsel an analysis of associating what is present with what is to be determined. The writer, they presume, meant something by what he expressed; that expression, or at least a portion of it, they insist, offers the best hope for resolving the ambiguity at hand. As they occasionally broaden, frequently constrict and sometimes exclude, the maxims operate to propel the interpreter toward an intent, meaning or purpose that will decide the controversy.

### Increase – Net

#### “Increase” means a net increase

Rogers 5 (Judge – New York, et al., Petitioners v. U.S. Environmental Protection Agency, Respondent, NSR Manufacturers Roundtable, et al., Intervenors, 2005 U.S. App. LEXIS 12378, \*\*; 60 ERC (BNA) 1791, 6/24, Lexis)

[\*\*48]  Statutory Interpretation. [HN16](http://www.lexis.com/research/retrieve?_m=1fe428155fdfc9074f3623f0dae9d78a&docnum=14&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=0ebd338d6a7793de8561db53b915effd&focBudTerms=term%20increase&focBudSel=all#clscc16)While the CAA defines a "modification" as any physical or operational change that "increases" emissions, it is silent on how to calculate such "increases" in emissions. [42 U.S.C. § 7411(a)(4)](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=103&_butInline=1&_butinfo=42%20U.S.C.%207411&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=1f89a0e47b1996a5400e8d865d8da08a). According to government petitioners, the lack of a statutory definition does not render the term "increases" ambiguous, but merely compels the court to give the term its "ordinary meaning." See [Engine Mfrs.Ass'nv.S.Coast AirQualityMgmt.Dist., 541 U.S. 246, 124 S. Ct. 1756, 1761, 158 L. Ed. 2d 529(2004)](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_butNum=104&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b541%20U.S.%20246%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=48f016ea3eabfdb898b67b348b11662c); [Bluewater Network, 370 F.3d at 13](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_butNum=105&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b370%20F.3d%201%2cat%2013%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=78fdfe9d48c7b91d7659b90c0198707e); [Am. Fed'n of Gov't Employees v. Glickman, 342 U.S. App. D.C. 7, 215 F.3d 7, 10 [\*23]  (D.C. Cir. 2000)](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_butNum=106&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b342%20U.S.%20App.%20D.C.%207%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=fb18ff0b92931ac00621d88dae997e67). Relying on two "real world" analogies, government petitioners contend that the ordinary meaning of "increases" requires the baseline to be calculated from a period immediately preceding the change. They maintain, for example, that in determining whether a high-pressure weather system "increases" the local temperature, the relevant baseline is the temperature immediately preceding the arrival of the weather system, not the temperature five or ten years ago. Similarly,  [\*\*49]  in determining whether a new engine "increases" the value of a car, the relevant baseline is the value of the car immediately preceding the replacement of the engine, not the value of the car five or ten years ago when the engine was in perfect condition.

#### “Increase” means net increase

Words and Phrases 8(v. 20a, p. 264-265)

Cal.App.2 Dist. 1991. Term “increase,” as used in statute giving the Energy Commission modification jurisdiction over any alteration, replacement, or improvement of equipment that results in “increase” of 50 megawatts or more in electric generating capacity of existing thermal power plant, refers to “net increase” in power plant’s total generating capacity; in deciding whether there has been the requisite 50-megawatt increase as a result of new units being incorporated into a plant, Energy Commission cannot ignore decreases in capacity caused by retirement or deactivation of other units at plant. West’s Ann.Cal.Pub.Res.Code § 25123.

#### “Increase” requires evidence of the preexisting condition to determine a net increase

**Ripple 87** (Circuit Judge, Emmlee K. Cameron, Plaintiff-Appellant, v. Frances Slocum Bank & Trust Company, State Automobile Insurance Association, and Glassley Agency of Whitley, Indiana, Defendants-Appellees, 824 F.2d 570; 1987 U.S. App. LEXIS 9816, 9/24, lexis)

Also related to the waiver issue is appellees' defense relying on a provision of the insurance policy that suspends coverage where the risk is increased by any means within the knowledge or control of the insured. However, the term "increase" connotes change. To show change, appellees would have been required to present evidence of the condition of the building at the time the policy was issued. See 5 J. Appleman & J. Appleman, Insurance Law and Practice, § 2941 at 4-5 (1970). Because no such evidence was presented, this court cannot determine, on this record, whether the risk has, in fact, been increased. Indeed, the answer to this question may depend on Mr. Glassley's knowledge of the condition of the building at the time the policy was issued, see 17 J. Appleman & J. Appleman, Insurance Law and Practice, § 9602 at 515-16 (1981), since the fundamental issue is whether the appellees contemplated insuring the risk which incurred the loss.

### Increase – Make Greater

#### “Increase” means to become larger or greater in quantity

Encarta 6 – Encarta Online Dictionary. 2006. ("Increase" http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861620741)

in·crease [ in krss ]  
transitive and intransitive verb  (*past and past participle* in·creased, *present participle* in·creas·ing, *3rd person present singular* in·creas·es)Definition**:**make or become larger or greater: to become, or make something become, larger in number, quantity, or degree  
noun  (*plural* in·creas·es)

#### “Increase” does not mean to decrease

Webster’s 13 – Webster’s Dictionary. 1913 ("Increase", http://machaut.uchicago.edu/cgi-bin/WEBSTER.sh?WORD=increase)

In\*crease" (?), v. i.

To become greater or more in size, quantity, number, degree, value, intensity, power, authority, reputation, wealth; to grow; to augment; to advance; -- opposed to *decrease*.

#### “Increase” is the opposite of decrease

Cambridge 8 – Cambridge Dictionary, 8 (“increase”, 2008, http://dictionary.cambridge.org/define.asp?key=increase\*1+0&dict=A)

increase

[[Show phonetics]](http://dictionary.cambridge.org/define.asp?dict=A&key=increase*1+0&ph=on)

verb [I/T]

to become or make (something) larger or greater

The opposite of increase is [decrease](http://dictionary.cambridge.org/define.asp?key=decrease*1+0&dict=a).

#### “Increase” means to make greater

Webster’s 9 – Merriam Webster, 9 (Merriam Webster Online Dictionary, “Increase”, [http://www.merriamwebster.com/dictionary/increase[1](http://www.merriam-webster.com/dictionary/increase%5b1)])

*intransitive verb*1: to become progressively greater (as in size, amount, number, or intensity)2: to multiply by the production of young*transitive verb*1: to make greater : [augment](http://www.merriam-webster.com/dictionary/augment)2*obsolete* : [enrich](http://www.merriam-webster.com/dictionary/enrich)

### Increase – Quantitative

#### Increase means to become bigger or larger in quantity

Encarta 7 – Encarta World English Dictionary, 7 (“Increase”, 2007, <http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861620741>)

Increase

transitive and intransitive verb  (past and past participle in·creased, present participle in·creas·ing, 3rd person present singular in·creas·es)

Definition:

make or become larger or greater: to become, or make something become, larger in number, quantity, or degree

### Increase – Progressive Growth

#### “Increase” means progressive growth

**Philips 2** – UNITED STATES BANKRUPTCY JUDGE (Louis, IN RE LAWRENCE D. GOLDBERG, DEBTOR; DWAYNE M. MURRAY, TRUSTEE, PLAINTIFF VERSUS MAE M. STACY TRUST AND F. EUGENE RICHARDSON, DEFENDANTS, 5/1, lexis) (emphasis in the original)

In determining the plain meaning of the phrase "increases the obligor's insolvency," the Court initially notes that this phrase makes no reference whatsoever [\*\*50] to a "reasonably equivalent value" test 26 or even to the "fair consideration" test of the Section 3 of the UFCA. 27 Instead, Article 2036 of the Civil Code merely uses the word "increases," and the absence of "reasonably equivalent value" language or "fair consideration" language rings loudly in the Court's judicial ear. Accordingly, the Court will focus on the plain meaning of the term "increases." Taking note from one of the dictionaries of choice of the United States Supreme Court, 28 the Court finds that the definition of the word "increase" in Webster's Ninth New Collegiate Dictionary reads as follows:

[\*270] To become *progressively* greater (as in size, amount, number, or intensity). . . . to make greater: AUGMENT. . . . INCREASE, ENLARGE, AUGMENT, MULTIPLY mean to make or become greater. INCREASE used intransitively implies *progressive* growth in size, amount, intensity; used transitively it may imply simple not necessarily progressive addition. . . *the act or process of increasing*: as . . . addition or enlargement in size, extent, quantity.

Webster's Ninth New Collegiate Dictionary 611 (1990) (emphasis added).

As Webster's Dictionary states, the word "increase" means a progressive growth, that is, an incremental [\*\*52] growth. Such progressive and incremental growth implies that when Article 2036 was drafted, the codifiers used the simple and easily-understood word "increase" because they meant to imply a "dollar-for-dollar" increase in the obligor's insolvency, rather than a "reasonably equivalent value" increase. Otherwise, the codifiers would not have chosen to use the word "increase" with no obvious limitation on its meaning. Moreover, since Article 2036 was crafted in 1984, well after the UFCA, which was enacted in 1918, the drafters of Article 2036 must have been well aware of the "fair consideration" requirement in Section 3 of the UFCA, and chose not to adopt such a limitation. Therefore, the Court may reasonably conclude that HN19Go to this Headnote in the case.the plain meaning of "increases the obligor's insolvency" means a "dollar-for-dollar," incremental growth, rather than insolvency as measured by a "reasonably equivalent value" standard.

As of this stopping place, the Court has performed its task under the Louisiana Civil Code: to ferret out the plain meaning of Article 2036 of the Louisiana Civil Code from the words of the article, itself, if possible. However, the Court will resort to other modes of statutory construction [\*\*53] in support of its "plain meaning" analysis, primarily to assure ourselves that the apparently groundless arguments of the defendants really are so.. Positing for argument purposes only (of course) that the phrase "increases the obligor's insolvency" is susceptible of more than one meaning (i.e., a "reasonably equivalent value" meaning), analysis of the purpose of the Louisiana revocatory action and of its legislative history is now offered.

### Other Increase Definitions

#### “Increase” includes an extension of duration

**Word and Phrases 8** (Vol. 20B, p. 265)

Me. 1922. Within Workmen’s Compensation Act, § 36, providing for review of any agreement, award, findings, or decree, and that member of Commission may increase, diminish, or discontinue compensation, an “increase” may include an extension of the time of the award. –Graney’s Case, 118 A. 369, 121 Me.500.—Work Comp 2049.

#### Increasing duration is the equivalent of increasing monetary support

**Word and Phrases 8** (Vol. 20B, p. 265)

Minn.App. 2004. A durational modification of child support is as much an “increase” as monetary modification, and the needs of subsequent children must be considered when determining the indefinite extension of the support obligation pursuant to statute providing that, when a party moves to “increase” child support, the circumstances change and the adjudicator is obligated to consder the needs of after-born children. M.S.A. § 518.551.—State ex rel. Jarvela v. Burke, 678 N.W.2d 68, review denied.—Child S 255, 350.

#### “Increase” doesn’t require preexistence

**Words and Phrases 8** (Words and Phrases Permanent Edition, “Increase,” Volume 20B, p. 263-267 March 2008, Thomson West)

Wahs. 1942. The granting of compensation to any officer after he has commenced to serve the term for which he has been chosen, when no compensation was provided by law before he assumed the duties of his office, is an “increase” in salary or compensation within the constitutional provision prohibiting an increase of the compensation of a public officer during his term of office. Const. art, 2, 25; art. 11, 8. – State ex rel. Jaspers v. West 125 P.2d 694, 13 Wash.2d 514. Offic 100(1).

#### “Increase” doesn’t require pre-existence

**Reinhardt 5** – U.S. Judge for the UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT (Stephen, JASON RAY REYNOLDS; MATTHEW RAUSCH, Plaintiffs-Appellants, v. HARTFORD FINANCIAL SERVICES GROUP, INC.; HARTFORD FIRE INSURANCE COMPANY, Defendants-Appellees., lexis)

Specifically, we must decide whether charging a higher price for initial insurance than the insured would otherwise have been charged because of information in a consumer credit report constitutes an "increase in any charge" within the meaning of FCRA. First, we examine the definitions of "increase" and "charge." Hartford Fire contends that, limited to their ordinary definitions, these words apply only when a consumer has previously been charged for insurance and that charge has thereafter been increased by the insurer. The phrase, "has previously been charged," as used by Hartford, refers not only to a rate that the consumer has previously paid for insurance but also to a rate that the consumer has previously been quoted, even if that rate was increased [\*\*23] before the consumer made any payment. Reynolds disagrees, asserting that, under [\*1091] the ordinary definition of the term, an increase in a charge also occurs whenever an insurer charges a higher rate than it would otherwise have charged because of any factor--such as adverse credit information, age, or driving record 8 --regardless of whether the customer was previously charged some other rate. According to Reynolds, he was charged an increased rate because of his credit rating when he was compelled to pay a rate higher than the premium rate because he failed to obtain a high insurance score. Thus, he argues, the definitions of "increase" and "charge" encompass the insurance companies' practice. Reynolds is correct.

“Increase" means to make something greater. See, e.g., OXFORD ENGLISH DICTIONARY (2d ed. 1989) ("The action, process, or fact of becoming or making greater; augmentation, growth, enlargement, extension."); WEBSTER'S NEW WORLD DICTIONARY OF AMERICAN ENGLISH (3d college ed. 1988) (defining "increase" as "growth, enlargement, etc[.]"). "Charge" means the price demanded for goods or services. See, e.g., OXFORD ENGLISH DICTIONARY (2d ed. 1989) ("The price required or demanded for service rendered, or (less usually) for goods supplied."); WEBSTER'S NEW WORLD DICTIONARY OF AMERICAN ENGLISH (3d college ed. 1988) ("The cost or price of an article, service, etc."). Nothing in the definition of these words implies that the term "increase in any charge for" should be limited to cases in which a company raises the rate that an individual has previously been charged.

#### One can increase from zero

**Words and Phrases 7** (Cumulative Supplementary Pamphlet, 2007 vol. 20a, 07, 76)

Increase: Salary change of from zero to $12,000 and $1,200 annually for mayor and councilmen respectively was an “increase” in salary and not merely the fixing of salary. King v. Herron, 243 S.E.2d36, 241 Ga. 5.

# \*\*\* WITH

### Participant

#### “With” requires that China be a participant in engagement

Webster’s 16 – Merriam-Webster’s Online Dictionary, “with”, http://www.merriam-webster.com/dictionary/with

2

a —used as a function word to indicate a participant in an action, transaction, or arrangement <works with his father> <a talk with a friend> <got into an accident with the car>

b —used as a function word to indicate the object of attention, behavior, or feeling <get tough with him> <angry with her>

c : in respect to : so far as concerns <on friendly terms with all nations>

d —used to indicate the object of an adverbial expression of imperative force <off with his head>

e : over, on <no longer has any influence with them>

f : in the performance, operation, or use of <the trouble with this machine>

#### It means “engagement” is done together

Cambridge 16 – Cambridge Dictionaries Online, “with”, http://dictionary.cambridge.org/dictionary/english/with?a=british

with preposition (COMPANY)

A1 used to say that people or things are in a place together or are doing something together:

I was with Sylvia at the time.

He lives with his grandmother.

He's impossible to work with.

I'm going to France with a couple of friends.

Ingrid Bergman starred with Humphrey Bogart in the movie "Casablanca".

I left my books with Sandra.

Ice cream with your apple pie?

Mix the butter with the sugar and then add the egg.

I'll be with you (= I will give you my attention) in a second.

She's staying with her parents (= at their house) for a few months.

He's been with the department (= working in it) since 2010.

### In Relation To

#### “With” means in relation to

Oxford 16 – Oxford Dictionaries Online, “with”, http://www.oxforddictionaries.com/us/definition/american\_english/with

Accompanied by (another person or thing):

a nice steak with a bottle of red wine

More example sentences Synonyms

1.1In the same direction as:

marine mammals generally swim with the current

More example sentences

1.2Along with (with reference to time):

wisdom comes with age

1.3In proportion to:

the form of the light curve changes with period in a systematic way

2Possessing (something) as a feature or accompaniment:

a flower-sprigged blouse with a white collar

More example sentences

2.1Marked by or wearing:

a tall dark man with a scar on one cheek

a small man with thick glasses

More example sentences

3Indicating the instrument used to perform an action:

cut it with a knife

treatment with acid before analysis

More example sentences

3.1Indicating the material used for some purpose:

fill the bowl with water

More example sentences

4In opposition to:

we started fighting with each other

More example sentences

5Indicating the manner or attitude of the person doing something:

with great reluctance

More example sentences

6Indicating responsibility:

leave it with me

More example sentences

7In relation to:

my father will be angry with me

#### This is particularly true in the context of international relations

Webster’s 16 – Merriam-Webster’s Online Dictionary, “with”, http://www.merriam-webster.com/dictionary/with

2 a —used as a function word to indicate a participant in an action, transaction, or arrangement <works with his father> <a talk with a friend> <got into an accident with the car>

b —used as a function word to indicate the object of attention, behavior, or feeling <get tough with him> <angry with her>

c : in respect to : so far as concerns <on friendly terms with all nations>

d —used to indicate the object of an adverbial expression of imperative force <off with his head>

e : over, on <no longer has any influence with them>

f : in the performance, operation, or use of <the trouble with this machine>

# \*\*\* PRC

### PRC---Official Name of China

#### “PRC” is the official name of China

Oxford 16 – Oxford Online Dictionary, “People’s Republic of China”, http://www.oxforddictionaries.com/us/definition/american\_english/people's-republic-of-china

People's Republic of China

Official name (since 1949) of China.

#### Refers to the country of China

Collins 16 – Collins English Dictionary, “People’s Republic of China”, http://www.collinsdictionary.com/dictionary/english/people-s-republic-of-china

a republic in E Asia: the third largest and the most populous country in the world; the oldest continuing civilization (beginning over 2000 years bc); republic established in 1911 after the overthrow of the Manchu dynasty by Sun Yat-sen; People's Republic formed in 1949; the 1980s and 1990s saw economic liberalization but a rejection of political reform; contains vast deserts, steppes, great mountain ranges (Himalayas, Kunlun, Tian Shan, and Nan Shan), a central rugged plateau, and intensively cultivated E plains. Language: Chinese in various dialects, the chief of which is Mandarin. Religion: nonreligious majority; Buddhist and Taoist minorities. Currency: yuan. Capital: Beijing. Pop: 1 349 586 000 (2013 est). Area: 9 560 990 sq km (3 691 502 sq miles)

### PRC---Only Mainland

#### “PRC” is only mainland China---it does not include Hong Kong, Macau, or Taiwan

SEC 13 – Securities and Exchange Commission, “Filed pursuant to Rule 433 of the Securities Act of 1933, Registration Statement Nos. 333-167980 and 333-182088, 11-1, http://www.sec.gov/Archives/edgar/data/836136/000110465913080102/a13-15844\_2fwp.htm

Renminbi, the official currency of the People’s Republic of China eligible for trading outside of the People’s Republic of China (the term “People’s Republic of China” excludes the Hong Kong Special Administrative Region (“Hong Kong”), the Macau Special Administrative Region (“Macau”) and Taiwan).

### PRC---More Than Mainland

#### China includes Hong Kong, Taiwan, and Macao

Yan ‘2K

(Xie, Eta Al., Invasive Species in China – An Overview, Biodiversity and Conservation, http://www.chinabiodiversity.com/shwdyx/technical-report-e/x-1e.htm)

China (Taiwan, Hong Kong and Macao are considered as parts of China) is the world's third largest country and one of the richest in terms of biodiversity. Its vast territory stretches 5,200 km from east to west. It spans 50 degrees of latitude, and covers five climatic zones: cold-temperate, temperate, warm-temperate, subtropical, and tropical (Wang Sung, et al. 1997). A wide range of habitats and environmental conditions makes China especially vulnerable to the establishment of invasive species of foreign origin. Potential invasive alien species from most areas of the world may find suitable habitat somewhere in China.

### PRC---Excludes Taiwan

#### “PRC” is the mainland, Hong Kong, and Macau---not Taiwan

Tancredo 8 – Tom Tancredo, U.S. Representative, H.R.5777 -- China Democracy Act (Introduced in House - IH), 4-10, http://thomas.loc.gov/cgi-bin/query/z?c110:H.R.5777.IH:

(5) People's REPUBLIC OF CHINA- The term `People's Republic of China'--

(A) includes mainland China, Hong Kong, Macao, and any other territory or special administrative region governed by the People's Republic of China; and

(B) does not include Taiwan, the Pescadores, or any other island over which the Taiwanese Government exercises control.

#### Taiwan is legally and officially not part of China

Chen 7 – Chen Lung-chu, President of the Taiwanese Society of International Law and Law Professor at New York Law School, “Taiwan's Statehood is Undeniable”, Taipei Times, 8-17, http://www.taipeitimes.com/News/editorials/archives/2007/08/17/2003374626

In terms of international law, Taiwan has not been a part of China since 1895. Taiwan has become a country through a continuous process of evolution. In the process of democratization and Taiwanization -- and thanks to the effective self-determination of its people -- Taiwan has evolved from a territory under military occupation following World War II to a country with the sovereignty and independence of a nation-state. This theory of Taiwan's evolution into a state conforms to historical developments, changing political conditions and the dynamic character and principles of international law. I support this theory of evolved nationhood, which I described previously on this page ("The evolution of Taiwan's statehood," Aug. 9, page 8).

There are other theories regarding Taiwan's international legal status in addition to the evolutionary theory of statehood.

One theory is that Taiwan is part of China. This is what the People's Republic of China (PRC) argues, citing history, the Cairo Declaration, the Potsdam Declaration, succession to the Republic of China (ROC), UN General Assembly Resolution 2758, and that "Taiwan is an internal affair of China," to support its position.

Yet Beijing's argument fails the tests of both reality and international law, for the following reasons.

One, Taiwan has been fought over by foreigners for hundreds of years, while the Taiwanese have battled for their existence and self-governance. There have been the indigenous peoples and the Han Chinese, the Dutch and Spanish colonial empires competing over Taiwan, Cheng Cheng-kung's (鄭成功) family dynasty, the nominal rule of the Qing dynasty (which ceded Taiwan to Japan shortly after making it a province), the brief establishment of the Republic of Formosa, 50 years of Japanese colonial rule and the military occupation following World War II.

Taiwan has evolved into a sovereign and independent nation. Clearly, Taiwan has not been "an inseparable part of China since ancient times."

Two, as for ownership of Taiwan's territory, the Cairo and Potsdam declarations were overridden by the 1951 Treaty of San Francisco with Japan. The Taiwan that Japan gave up in the treaty, including the Penghu Islands, belonged to neither the PRC nor the ROC. No wonder Beijing has avoided bringing up the treaty, which carries the most weight in international law.

Three, when the PRC was established on Oct. 1, 1949, the ROC had "militarily occupied" Taiwan on behalf of the Allied forces but not acquired sovereignty over or ownership of Taiwan. It is impossible for the PRC -- nor does it have the right -- to inherit powers that the ROC never had.

Four, UN Resolution 2758 does not accede that Taiwan is a part of the PRC.

Five, since its founding the PRC has never effectively controlled, ruled or exercised jurisdiction over Taiwan. By international law, Taiwan is not an "internal affair of China" but a question of international concern.

Taiwan and the PRC are two different countries, therefore the dispute over Taiwan's legal status involves interpretations of international agreements and international law; the PRC's threats toward Taiwan jeopardize peace in the Asia-Pacific region and the world; China's "Anti-Secession" Law violates international law; and Taiwan's future involves the effective implementation of the principles of self-determination enshrined in international law, and will affect the fundamental human rights and wellbeing of 23 million Taiwanese.

#### Even if it is part of China, it’s separate from the PRC

Hsu 12 – C.C. Hsu, “Taiwan is a Province of China, Just Not The PRC”, The China Post, 12-26, http://www.chinapost.com.tw/commentary/letters-to-the-editor/2012/12/26/365325/Taiwan-is.htm

I am very disturbed by the R.O.C.'s Foreign Ministry and specifically the Foreign Minister's criticism of Chang Liang-yi, a student elected as a youth liaison with the U.N. Framework Convention on Climate Change, who listed his place of origin as "Taiwan, Province of China." I strongly suggest our foreign minister and his entire ministry familiarize themselves with the Constitution of the Republic of China, the Constitution they are supposed to defend, before they start criticizing a citizen they are supposed to serve.

The R.O.C. Constitution states clearly and unequivocally that Taiwan is a Province of China so what did student Chang Liang-yi do that was wrong? The portion of our Constitution relating to our national territory, which includes all of the mainland and Taiwan, has never been changed. Even during the eight years of the DDP administration of Chen Shui-bien, these clauses were never touched.

I frequently attend international conferences and I never hesitate to list my place of origin as "Taiwan, China" or "Taiwan, Province of China." I would never list my place or origin as "Taiwan, People's Republic of China," and I have never been asked to do that even at conferences in mainland China.

### PRC---Includes Taiwan

#### Taiwan is a province within China and legally controlled by the PRC---history and international law agree

Danna 8 – Hou Danna, Consul of the Consulate General of the Peoples' Republic of China, “Taiwan is part of China”, Calgary Herald, 9-26, http://www.canada.com/story.html?id=a715e41d-9d7a-4b16-863d-a73a59f696ef

The writer claims that Taiwan's exclusion from the UN contravenes the UN principles of inclusion and equality, but he doesn't seem to understand that the UN only accepts sovereign states as its members, as stipulated in the UN Charter, and Taiwan, a province in China, is not eligible.

Taiwan has been an integral part of China's territory since antiquity. Around 1,000 years ago, the then central government established administration on the island. Ever since, dynasties and governments of China have maintained effective control of Taiwan until the late 19th century, when the Qing government was overpowered by Japan and was forced to cede Taiwan as reparation of war. In 1943, the state heads of China, the USA and the UK held a summit in Cairo, Egypt to discuss the war against Japan and postwar policies to Japan, and the Cairo Declaration jointly signed stated that all the Chinese territories seized by Japan, including Taiwan, shall be restored to China. Later on, in 1945, the Potsdam Proclamation jointly signed by China, the USA, UK and Soviet Union, reaffirmed that "the terms of the Cairo declaration shall be carried out." In this way, China's sovereignty over Taiwan was confirmed in the form of international law. As Japan was defeated and surrendered unconditionally in August, 1945, Taiwan was brought back to China. After three years of civil war, the Kuomintang Regime fled to Taiwan and the People's Republic of China was established on mainland China in 1949. At present, more than 160 countries in the world recognize the one-China principle and that Taiwan is a part of China.

The lawful rights of the People's Republic of China in the UN were restored in 1971. Since the Kuomintang Regime could not represent the then 800 million Chinese people, the 26th session of the UN General Assembly voted and adopted Resolution 2758 in which it stated that the Peoples' Republic of China is the sole legal government to represent China, and that Taiwan is part of China. During the General Assembly, countries like Canada worked very hard to push the adoption of the resolution, which the Chinese people will always remember and be grateful for. Ever since, China, as one of the five permanent members at the Security Council, has served as an important force in maintaining world peace and stability.

Taiwan's application to join the UN or any specialized agency thereof is just a pretext of the secessionists in Taiwan to seek independence from China. According to the United Nations Charter, Chapter 2, Article 4, only sovereign states can become UN members. Taiwan has never been a sovereign state; therefore it is preposterous for it to apply for a membership in the UN under any name. That is why the General Committee of the successive sessions of the General Assembly since 1993 has all flatly refused to include the so-called issue of "Taiwan's participation in the United Nations" in the agenda of the General Assembly. It showed the determination of the member states of United Nations to safeguard the Charter of the United Nations, and that the secessionists in Taiwan will never gain international support in their attempt to split China by raising the issue of "Taiwan's participation in the United Nations."

Taiwan is part of the internal affairs of China, and no government or organization should interfere. Respect for state sovereignty and territorial integrity and non-interference in a country's internal affairs are fundamental principles of the Charter of the United Nations cherished by all countries. China values and strictly follows those principles, and it will not allow any government or organization to do things to undermine its core national interests. Peace and stability across the Taiwan Strait serves the fundamental interest of the people in the Asia-Pacific region, and the peaceful reunification will eventually be achieved with the joint efforts of the Chinese people living on both sides of the Strait.

### PRC---Only Government---1NC

#### Topical plans must engage the Chinese government---

#### The PRC refers to the State

AAR ‘5

(Absolute Astronomy – Reference Section – online Encyclopedia

http://www.absoluteastronomy.com/encyclopedia/p/pe/peoples\_republic\_of\_china.htm)

The People's Republic of China (PRC) is a state that comprises most of the cultural, historic, and geographic area known as China. (A communist nation that covers a vast territory in eastern Asia; the most populous country in the world) China. Since its founding in 1949, it has been led by the (Click link for more info and facts about Communist Party of China) Communist Party of China (CPC).

#### “With” requires direct participation

Webster’s 16 – Merriam Webster’s Online Dictionary, “with”, http://www.merriam-webster.com/dictionary/with

Full Definition of with

1 a : in opposition to : against <had a fight with his brother>

b : so as to be separated or detached from <broke with her family>

2 a —used as a function word to indicate a participant in an action, transaction, or arrangement <works with his father> <a talk with a friend> <got into an accident with the car>

#### Plan doesn’t engage the government

#### Voting issue---

#### 1. Limits---they open the floodgates to sub-national entities like local governments, companies, or individuals in China, or actions that only indirectly affect the government like using third party nations---explodes the research burden

#### 2. Ground---national engagement is key to links to core generics like Chinese politics, relations, or shunning. Core ground is key to fairness.

### PRC---Only Government---SOEs 2NC

#### State-owned entities are contextually distinct from the PRC government

Kan 5 (Shirley, Specialist in National Security Policy, China and Proliferation of Weapons of MassDestruction and Missiles: Policy Issues, CRS, 4-5, <http://www.usembassy.it/pdf/other/RL31555.pdf>)

Sanctions and the “Helms Amendment”. Policy debates concerning PRC technology transfers have often centered on the questions of whether to impose unilateral sanctions under U.S. laws, to enact new legislation to tighten mandates for sanctions or reports, or to integrate the multiple laws. Also, there have been the issues of whether to target the PRC government or PRC “entities” (usually state owned defense industrial organizations, like CPMIEC or NORINCO) and whether the PRC government lacks the will or the capability to enforce its stated nonproliferation policy. Decisions on sanctions impact U.S. credibility and leverage on the non-proliferation issue. While certain PRC transfers may not violate any international treaties, sanctions may be required under U.S. laws that Congress passed to set U.S. nonproliferation policy and shore up nonproliferation treaties and standards. These laws, as amended, include: ! Export-Import Bank Act (P.L. 79-173)

#### This distinction is germane – the USFG goes to great lengths to draw business-government distinction

Kan 5 (Shirley, Specialist in National Security Policy, China and Proliferation of Weapons of MassDestruction and Missiles: Policy Issues, CRS, 4-5, <http://www.usembassy.it/pdf/other/RL31555.pdf>)

On 14 occasions, the Bush Administration has imposed sanctions on PRC entities (not the government) for transfers (related to ballistic missiles, chemical weapons, and cruise missiles) to Pakistan and Iran, under the Arms Export Control Act, Export Administration Act, Iran Nonproliferation Act of 2000, Iran-Iraq Arms Nonproliferation Act of 1992, and Executive Order 12938. (See below, Table 1: PRC Entities Sanctioned for Weapons Proliferation.)

# \*\*\* OTHER DEFINITIONS

### Resolved:

#### ‘Resolved’ means to enact a policy by law

Words and Phrases 64 (Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### Determination reached by voting

Webster’s 98 (Revised Unabridged, Dictionary.com)

Resolved: 5. To express, as an opinion or determination, by resolution and vote; to declare or decide by a formal vote; -- followed by a clause; as, the house resolved (or, it was resolved by the house) that no money should be apropriated (or, to appropriate no money).

#### Firm decision

AHD 6 (American Heritage Dictionary, http://dictionary.reference.com/browse/resolved)

Resolve TRANSITIVE VERB:1. To make a firm decision about. 2. To cause (a person) to reach a decision. See synonyms at decide. 3. To decide or express by formal vote.

#### Specific course of action

AHD 6 (American Heritage Dictionary, http://dictionary.reference.com/browse/resolved)

INTRANSITIVE VERB:1. To reach a decision or make a determination: resolve on a course of action. 2. To become separated or reduced to constituents. 3. Music To undergo resolution.

#### Resolved implies immediacy

Random House 6 (Unabridged Dictionary, http://dictionary.reference.com/browse/resolve)

re·solve thinsp [Audio Help](http://dictionary.reference.com/help/audio.html)   /rɪˈzɒlv/ Pronunciation Key - Show Spelled Pronunciation[ri-zolv] Pronunciation Key - Show IPA Pronunciation verb, -solved, -solv·ing, noun

–verb (used with object)

1. to come to a definite or earnest decision about; determine (to do something): I have resolved that I shall live to the full.

### Resolved: – Aff Competition

#### “Resolved” doesn’t require certainty

Webster’s 9 – Merriam Webster 2009

(http://www.merriam-webster.com/dictionary/resolved)

# Main Entry: 1re·solve # Pronunciation: \ri-ˈzälv, -ˈzȯlv also -ˈzäv or -ˈzȯv\ # Function: verb # Inflected Form(s): re·solved; re·solv·ing 1 : to become separated into component parts; also : to become reduced by dissolving or analysis 2 : to form a resolution : determine 3 : consult, deliberate

Or immediacy

PTE 9 – Online Plain Text English Dictionary 2009

(http://www.onelook.com/?other=web1913&w=Resolve)

Resolve: “To form a purpose; to make a decision; especially, to determine after reflection; as, to resolve on a better course of life.”

### Colon

#### Colon is meaningless --- everything after it is what’s important

Webster’s 00 (Guide to Grammar and Writing, <http://ccc.commnet.edu/grammar/marks/colon.htm>)

Use of a colon before a list or an explanation that is preceded by a clause that can stand by itself. Think of the colon as a gate, inviting one to go on… If the introductory phrase preceding the colon is very brief and the clause following the colon represents the real business of the sentence, begin the clause after the colon with a capital letter.

#### The colon just elaborates on what the community was resolved to debate

Encarta 7 (World Dictionary, “colon”, [http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861 598666](http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861598666))

co·lon (plural co·lons)

noun

Definition:

1. punctuation mark: the punctuation mark (:) used to divide distinct but related sentence components such as clauses in which the second elaborates on the first, or to introduce a list, quotation, or speech. A colon is sometimes used in U.S. business letters after the salutation. Colons are also used between numbers in statements of proportion or time and Biblical or literary references.

### The

#### “The” indicates reference to a noun as a whole

Webster’s 5 (Merriam Webster’s Online Dictionary, http://www.m-w.com/cgi-bin/dictionary)

4 -- used as a function word before a noun or a substantivized adjective to indicate reference to a group as a whole <the elite>

#### Requires specification

Random House 6 (Unabridged Dictionary, http://dictionary.reference.com/browse/the)

(used, esp. before a noun, with a specifying or particularizing effect, as opposed to the indefinite or generalizing force of the indefinite article *a* or *an*): the book you gave me; Come into the house.

#### Indicates a proper noun

Random House 6 (Unabridged Dictionary, http://dictionary.reference.com/browse/the)

(used to mark a proper noun, natural phenomenon, ship, building, time, point of the compass, branch of endeavor, or field of study as something well-known or unique): the sun; the Alps; the Queen Elizabeth; the past; the West.

#### “The” means all parts

Encarta 9 (World English Dictionary, “The”, http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861719495)

2. indicating generic class: used to refer to a person or thing considered generically or universally  
bullettransExercise is good for the heart.  
bullettransShe played the violin.  
bullettransThe dog is a loyal pet.

#### Means the noun must be interpreted generically

Webster’s 9 (Merriam-Webster’s Online Dictionary, “The”, http://www.merriam-webster.com/dictionary/the)

3 a—used as a function word before a singular noun to indicate that the noun is to be understood generically <the dog is a domestic animal> b—used as a function word before a singular substantivized adjective to indicate an abstract idea <an essay on the sublime>

### Federal Government

#### “Federal Government” means the United States government

Black’s Law 99 (Dictionary, Seventh Edition, p.703)

The U.S. government—also termed national government

#### National government, not states or localities

Black’s Law 99 (Dictionary, Seventh Edition, p.703)

A national government that exercises some degree of control over smaller political units that have surrendered some degree of power in exchange for the right to participate in national political matters

#### Government of the USA

Ballentine's 95 (Legal Dictionary and Thesaurus, p. 245)

the government of the United States of America

#### Not states

OED 89 (Oxford English Dictionary, 2ed. XIX, p. 795)

b. Of or pertaining to the political unity so constituted, as distinguished from the separate states composing it.

#### Central government

AHD 92 (American Heritage Dictionary of the English Language, p. 647)

federal—3. Of or relating to the central government of a federation as distinct from the governments of its member units.

#### “Federal” refers to a government in which states form a central government

AHD 92 (American Heritage Dictionary of the English Language, p. 647)

federal—1. Of, relating to, or being a form of government in which a union of states recognizes the sovereignty of a central authority while retaining certain residual powers of government.

#### “Government” is all three branches

Black’s Law 90 (Dictionary, p. 695)

“[*Government*] In the United States, government consists of the executive, legislative, and judicial branches in addition to administrative agencies. In a broader sense, includes the federal government and all its agencies and bureaus, state and county governments, and city and township governments.”

#### Includes agencies

Words & Phrases 4 (Cumulative Supplementary Pamphlet, v. 16A, p. 42)

N.D.Ga. 1986. Action against the Postal Service, although an independent establishment of the executive branch of the federal government, is an action against the “Federal Government” for purposes of rule that plaintiff in action against government has right to jury trial only where right is one of terms of government’s consent to be sued; declining to follow Algernon Blair Industrial Contractors, Inc. v. Tennessee Valley Authority, 552 F.Supp. 972 (M.D.Ala.). 39 U.S.C.A. 201; U.S.C.A. Const.Amend. 7.—Griffin v. U.S. Postal Service, 635 F.Supp. 190.—Jury 12(1.2).

### Should

#### Should refers to what should be NOT what should have been

OED, Oxford English Dictionary, 1989 (2ed. XIX), pg. 344

Should An utterance of the word *should*. Also, what ‘should be’.

#### Should means an obligation or duty

AHD 92 – AHD, American Heritage Dictionary of the English Language, 1992 (4ed); Pg. 1612

Should—1. Used to express obligation or duty: *You should send her a note*.

#### Should expresses an expectation of something

AHD 92 – AHD, American Heritage Dictionary of the English Language, 1992 (4ed); Pg. 1612

Should—2. Used to express probability or expectation: *They should arrive at noon*.

#### Should expresses conditionality or contingency

AHD 92 – AHD, American Heritage Dictionary of the English Language, 1992 (4ed); Pg. 1612

Should—3. Used to express conditionality or contingency: *If she should fall, then so would* *I*.

#### “Should” expresses duty, obligation, or necessity

Webster’s 61 – Webster’s Third New International Dictionary 1961 p. 2104

Used in auxiliary function to express duty, obligation, necessity, propriety, or expediency

### Should – Desirable

#### “Should” means desirable --- this does not have to be a mandate

AC 99 (Atlas Collaboration, “Use of Shall, Should, May Can,” http://rd13doc.cern.ch/Atlas/DaqSoft/sde/inspect/shall.html)

shall

'shall' describes something that is mandatory. If a requirement uses 'shall', then that requirement \_will\_ be satisfied without fail. Noncompliance is not allowed. Failure to comply with one single 'shall' is sufficient reason to reject the entire product. Indeed, it must be rejected under these circumstances. Examples: # "Requirements shall make use of the word 'shall' only where compliance is mandatory." This is a good example. # "C++ code shall have comments every 5th line." This is a bad example. Using 'shall' here is too strong.

should

'should' is weaker. It describes something that might not be satisfied in the final product, but that is desirable enough that any noncompliance shall be explicitly justified. Any use of 'should' should be examined carefully, as it probably means that something is not being stated clearly. If a 'should' can be replaced by a 'shall', or can be discarded entirely, so much the better. Examples: # "C++ code should be ANSI compliant." A good example. It may not be possible to be ANSI compliant on all platforms, but we should try. # "Code should be tested thoroughly." Bad example. This 'should' shall be replaced with 'shall' if this requirement is to be stated anywhere (to say nothing of defining what 'thoroughly' means).

#### “Should” doesn’t require certainty

**Black’s Law 79** (Black’s Law Dictionary – Fifth Edition, p. 1237)

Should. The past tense of shall; ordinarily implying duty or obligation; although usually no more than an obligation of propriety or expediency, or a moral obligation, thereby distinguishing it from “ought.” It is not normally synonymous with “may,” and although often interchangeable with the word “would,” it does not ordinarily express certainty as “will” sometimes does.

### Should – Mandatory

#### “Should” is mandatory

Nieto 9 – Judge Henry Nieto, Colorado Court of Appeals, 8-20-2009 People v. Munoz, 240 P.3d 311 (Colo. Ct. App. 2009)

"Should" is "used . . . to express duty, obligation, propriety, or expediency." Webster's Third New International Dictionary 2104 (2002). Courts [\*\*15] interpreting the word in various contexts have drawn conflicting conclusions, although the weight of authority appears to favor interpreting "should" in an imperative, obligatory sense. HN7A number of courts, confronted with the question of whether using the word "should" in jury instructions conforms with the Fifth and Sixth Amendment protections governing the reasonable doubt standard, have upheld instructions using the word. In the courts of other states in which a defendant has argued that the word "should" in the reasonable doubt instruction does not sufficiently inform the jury that it is bound to find the defendant not guilty if insufficient proof is submitted at trial, the courts have squarely rejected the argument. They reasoned that the word "conveys a sense of duty and obligation and could not be misunderstood by a jury." See State v. McCloud, 257 Kan. 1, 891 P.2d 324, 335 (Kan. 1995); see also Tyson v. State, 217 Ga. App. 428, 457 S.E.2d 690, 691-92 (Ga. Ct. App. 1995) (finding argument that "should" is directional but not instructional to be without merit); Commonwealth v. Hammond, 350 Pa. Super. 477, 504 A.2d 940, 941-42 (Pa. Super. Ct. 1986). Notably, courts interpreting the word "should" in other types of jury instructions [\*\*16] have also found that the word conveys to the jury a sense of duty or obligation and not discretion. In Little v. State, 261 Ark. 859, 554 S.W.2d 312, 324 (Ark. 1977), the Arkansas Supreme Court interpreted the word "should" in an instruction on circumstantial evidence as synonymous with the word "must" and rejected the defendant's argument that the jury may have been misled by the court's use of the word in the instruction. Similarly, the Missouri Supreme Court rejected a defendant's argument that the court erred by not using the word "should" in an instruction on witness credibility which used the word "must" because the two words have the same meaning. State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958). [\*318] In applying a child support statute, the Arizona Court of Appeals concluded that a legislature's or commission's use of the word "should" is meant to convey duty or obligation. McNutt v. McNutt, 203 Ariz. 28, 49 P.3d 300, 306 (Ariz. Ct. App. 2002) (finding a statute stating that child support expenditures "should" be allocated for the purpose of parents' federal tax exemption to be mandatory).

#### “Should” means must – its mandatory

Foresi 32 (Remo Foresi v. Hudson Coal Co., Superior Court of Pennsylvania, 106 Pa. Super. 307; 161 A. 910; 1932 Pa. Super. LEXIS 239, 7-14, Lexis)

As regards the mandatory character of the rule, the word 'should' is not only an auxiliary verb, it is also the preterite of the verb, 'shall' and has for one of its meanings as defined in the Century Dictionary: "Obliged or compelled (to); would have (to); must; ought (to); used with an infinitive (without to) to express obligation, necessity or duty in connection with some act yet to be carried out." We think it clear that it is in that sense that the word 'should' is used in this rule, not merely advisory. When the judge in charging the jury tells them that, unless they find from all the evidence, beyond a reasonable doubt, that the defendant is guilty of the offense charged, they should acquit, the word 'should' is not used in an advisory sense but has the force or meaning of 'must', or 'ought to' and carries [\*\*\*8] with it the sense of [\*313] obligation and duty equivalent to compulsion. A natural sense of sympathy for a few unfortunate claimants who have been injured while doing something in direct violation of law must not be so indulged as to fritter away, or nullify, provisions which have been enacted to safeguard and protect the welfare of thousands who are engaged in the hazardous occupation of mining.

#### Should means must

Words & Phrases 6 (Permanent Edition 39, p. 369)

C.D.Cal. 2005. “Should,” as used in the Social Security Administration’s ruling stating that an ALJ should call on the services of a medical advisor when onset must be inferred, means “must.”—Herrera v. Barnhart, 379 F.Supp.2d 1103.—Social S 142.5.

### Should – Not Mandatory

#### Should isn’t mandatory

Words & Phrases 6 (Permanent Edition 39, p. 369)

C.A.6 (Tenn.) 2001. Word “should,” in most contexts, is precatory, not mandatory. –U.S. v. Rogers, 14 Fed.Appx. 303. –Statut 227.

#### Strong admonition --- not mandatory

Taylor and Howard 5 (Michael, Resources for the Future and Julie, Partnership to Cut Hunger and Poverty in Africa, “Investing in Africa's future: U.S. Agricultural development assistance for Sub-Saharan Africa”, 9-12, <http://www.sarpn.org.za/documents/d0001784/5-US-agric_Sept2005_Chap2.pdf>)

Other legislated DA earmarks in the FY2005 appropriations bill are smaller and more targeted: plant biotechnology research and development ($25 million), the American Schools and Hospitals Abroad program ($20 million), women’s leadership capacity ($15 million), the International Fertilizer Development Center ($2.3 million), and clean water treatment ($2 million). Interestingly, in the wording of the bill, Congress uses the term *shall* in connection with only two of these eight earmarks; the others say that USAID *should* make the prescribed amount available. The difference between *shall* and *should* may have legal significance—one is clearly mandatory while the other is a strong admonition—but it makes little practical difference in USAID’s need to comply with the congressional directive to the best of its ability.

#### Permissive

Words and Phrases 2 (Vol. 39, p. 370)

Cal.App. 5 Dist. 1976. Term “should,” as used in statutory provision that motion to suppress search warrant should first be heard by magistrate who issued warrant, is used in regular, persuasive sense, as recommendation, and is thus not mandatory but permissive. West’s Ann.Pen Code, § 1538.5(b).---Cuevas v. Superior Court, 130 Cal. Rptr. 238, 58 Cal.App.3d 406 ----Searches 191.

#### Desirable or recommended

Words and Phrases 2 (Vol. 39, p. 372-373)

Or. 1952. Where safety regulation for sawmill industry providing that a two by two inch guard rail should be installed at extreme outer edge of walkways adjacent to sorting tables was immediately preceded by other regulations in which word “shall” instead of “should” was used, and word “should” did not appear to be result of inadvertent use in particular regulation, use of word “should” was intended to convey idea that particular precaution involved was desirable and recommended, but not mandatory. ORS 654.005 et seq.----Baldassarre v. West Oregon Lumber Co., 239 P.2d 839, 193 Or. 556.---Labor & Emp. 2857

### Should – Immediate

#### “Should” means “must” and requires immediate legal effect

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling *in praesenti*.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn16)

[CONTINUES – TO FOOTNOTE]

[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) *In praesenti* means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is *presently* or *immediately effective*, as opposed to something that *will* or *would* become effective *in the future [in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

### Should – No Immediate

#### Should doesn’t mean immediate

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should    /ʃʊd/ Show Spelled[shood] Show IPA –auxiliary verb 1. pt. of shall. 2. (used to express condition): Were he to arrive, I should be pleased. 3. must; ought (used to indicate duty, propriety, or expediency): You should not do that. 4. would (used to make a statement less direct or blunt): I should think you would apologize. Use should in a Sentence See images of should Search should on the Web Origin: ME sholde, OE sc ( e ) olde; see shall —Can be confused:  could, should, would (see usage note at this entry ). —Synonyms 3. See must1 . —Usage note Rules similar to those for choosing between shall and will have long been advanced for should and would, but again the rules have had little effect on usage. In most constructions, would is the auxiliary chosen regardless of the person of the subject: If our allies would support the move, we would abandon any claim to sovereignty. You would be surprised at the complexity of the directions. Because the main function of should in modern American English is to express duty, necessity, etc. ( You should get your flu shot before winter comes ), its use for other purposes, as to form a subjunctive, can produce ambiguity, at least initially: I should get my flu shot if I were you. Furthermore, should seems an affectation to many Americans when used in certain constructions quite common in British English: Had I been informed, I should (American would ) have called immediately. I should (American would ) really prefer a different arrangement. As with shall and will, most educated native speakers of American English do not follow the textbook rule in making a choice between should and would. See also shall. Shall –auxiliary verb, present singular 1st person shall, 2nd shall or ( Archaic ) shalt, 3rd shall, present plural shall; past singular 1st person should, 2nd should or ( Archaic ) shouldst or should·est, 3rd should, past plural should; imperative, infinitive, and participles lacking. 1. plan to, *intend* to, or expect to: I shall go later.

### Should – Not Past Tense 2AC

#### -- We meet – plan says ‘should’. This just changes the meaning of the plan – doesn’t prove it isn’t topical.

#### -- Ungrammatical – their interpretation assumes “should” is followed by ‘have’ – but its not. Grammar is key: it defines ground.

#### -- Kills neg ground – hindsight is 20/20, Aff’s would always pick unbeatable cases

#### -- “Should” means future action

American Heritage 00

should    ( P )  [Pronunciation Key](http://dictionary.reference.com/help/ahd4/pronkey.html)  (shd)  
aux.v. Past tense of shall

Used to express obligation or duty: You should send her a note.

#### -- Prefer our interpretation – theirs is outdated

American Heritage 00

Usage Note: Like the rules governing the use of shall and will on which they are based, the traditional rules governing the use of should and would are largely ignored in modern American practice. Either should or would can now be used in the first person to express conditional futurity: If I had known that, I would (or somewhat more formally, should) have answered differently. But in the second and third persons only would is used: If he had known that, he would (not should) have answered differently. Would cannot always be substituted for should, however. Should is used in all three persons in a conditional clause: if I (or you or he) should decide to go. Should is also used in all three persons to express duty or obligation (the equivalent of ought to): I (or you or he) should go. On the other hand, would is used to express volition or promise: I agreed that I would do it. Either would or should is possible as an auxiliary with like, be inclined, be glad, prefer, and related verbs: I would (or should) like to call your attention to an oversight. Here would was acceptable on all levels to a large majority of the Usage Panel in an earlier survey and is more common in American usage than should. ·Should have is sometimes incorrectly written should of by writers who have mistaken the source of the spoken contraction should've. See Usage Note at [if](http://dictionary.reference.com/search?q=if). See Usage Note at [rather](http://dictionary.reference.com/search?q=rather). See Usage Note at [shall](http://dictionary.reference.com/search?q=shall).

#### -- Key to Aff ground –best literature supports prescriptive future action

#### -- Neg ground – all disads assume future action, otherwise they’re non-unique.

#### -- No offense – future-oriented genealogical Affs can explore history.

#### -- Potential abuse isn’t a voter – don’t punish for what we didn’t do

### Its

#### Belonging to or associated with

Oxford Dictionary 10 (“Of”, http://www.oxforddictionaries.com/definition/its?view=uk)

Pronunciation:/ɪts/

possessive determiner

belonging to or associated with a thing previously mentioned or easily identified:turn the camera on its side he chose the area for its atmosphere

#### Of or relating to

Webster’s 10 (Merriam-Webster’s Online Dictionary, “its”, http://www.merriam-webster.com/dictionary/its)

Main Entry: its

Pronunciation: \ˈits, əts\

Function: adjective

Date: circa 1507

: of or relating to it or itself especially as possessor, agent, or object of an action <going to its kennel> <a child proud of its first drawings> <its final enactment into law>

### Its – Possessive

#### “Its” refers to the United States Federal Government and is possessive

Updegrave 91 (W.C., “Explanation of ZIP Code Address Purpose”, 8-19, <http://www.supremelaw.org/ref/zipcode/updegrav.htm>)

More specifically, looking at the map on page 11 of the National ZIP Code Directory, e.g. at a local post office, one will see that the first digit of a ZIP Code defines an area that includes more than one State. The first sentence of the explanatory paragraph begins: "A ZIP Code is a numerical code that identifies areas within the United States and its territories for purposes of ..." [cf. 26 CFR 1.1-1(c)]. Note the singular possessive pronoun "its", not "their", therefore carrying the implication that it relates to the "United States" as a corporation domiciled in the District of Columbia (in the singular sense), not in the sense of being the 50 States of the Union (in the plural sense). The map shows all the States of the Union, but it also shows D.C., Puerto Rico and the Virgin Islands, making the explanatory statement literally correct.

#### ‘Its’ is possessive

English Grammar 5 (Glossary of English Grammar Terms, <http://www.usingenglish.com/glossary/possessive-pronoun.html>)

Mine, yours, his, hers, its, ours, theirs are the possessive [pronouns](http://www.usingenglish.com/glossary/pronoun.html) used to substitute a [noun](http://www.usingenglish.com/glossary/noun.html) and to show possession or ownership. EG. This is your disk and that's mine. (Mine substitutes the word disk and shows that it belongs to me.)

#### Grammatically, this refers solely to U.S. investment

Manderino 73 (Justice – Supreme Court of Pennsylvania, “Sigal, Appellant, v. Manufacturers Light and Heat Co”., No. 26, Jan. T., 1972, Supreme Court of Pennsylvania, 450 Pa. 228; 299 A.2d 646; 1973 Pa. LEXIS 600; 44 Oil & Gas Rep. 214, Lexis)

On its face, the written instrument granting easement rights in this case is ambiguous. The same sentence which refers to the right to lay a 14 inch pipeline (singular) has a later reference to "said lines" (plural). The use of the plural "lines" makes no sense because the only previous reference has been to a "line" (singular). The writing is additionally ambiguous because other key words which are "also may change the size of its pipes" are dangling in that the possessive pronoun "its" before the word "pipes" does not have any subject preceding, to which the possessive pronoun refers. The dangling phrase is the beginning of a sentence, the first word of which does not begin with a capital letter as is customary in normal English [\*\*\*10]  usage. Immediately preceding the "sentence" which does not begin with a capital letter, there appears a dangling  [\*236]  semicolon which makes no sense at the beginning of a sentence and can hardly relate to the preceding sentence which is already properly punctuated by a closing period. The above deviations from accepted grammatical usage make difficult, if not impossible, a clear understanding of the words used or the intention of the parties. This is particularly true concerning the meaning of a disputed phrase in the instrument which states that the grantee is to pay damages from ". . . the relaying, maintaining and operating said pipeline. . . ." The instrument is ambiguous as to what the words ". . . relaying . . . said pipeline . . ." were intended to mean.

#### And it’s a term of exclusion

Frey 28 (Judge – Supreme Court of Missouri, Supreme Court of Missouri,

320 Mo. 1058; 10 S.W.2d 47; 1928 Mo. LEXIS 834, Lexis)

In support of this contention appellant again argues that when any ambiguity exists in a will it is the duty of the court to construe the will under guidance of the presumption that the testatrix intended her property to go to her next of kin, unless there is a strong intention to the contrary. Again we say, there is intrinsic proof of a  [\*1074]  strong intention to the contrary. In the first place, testatrix only named two of her blood relatives in the will and had she desired [\*\*\*37]  them to take the residuary estate she doubtless would have mentioned them by name in the residuary clause. In the second place, if she used the word "heirs" in the sense of blood relatives she certainly would have dispelled all ambiguity by stating whose blood relatives were intended. Not only had  [\*\*53]  she taken pains in the will to identify her own two blood relatives but she had also identified certain blood relatives of her deceased husband. Had it been her intention to vest the residuary estate in her blood relatives solely, she would certainly have used the possessive pronoun "my" instead of the indefinite article "the" in the clause, "the above heirs."its is geographical.

### Its – Includes Multilateral

#### Indirect aid is still “U.S. assistance”

Copson 2 (Raymond W., Foreign Affairs, Defense, and Trade Division – Congressional Research Service, “Africa: U.S. Foreign Assistance Issues”, CRS Issue Brief for Congress, 2-19, <http://fpc.state.gov/documents/organization/> 9037.pdf)

U.S. Aid to Africa: An Overview

Bilateral Aid

U.S. assistance finds its way to Africa through a variety of channels. Bilateral or country-to-country aid, also known as direct assistance, is given by the U.S. government to African countries through non-governmental organizations (NGOs), also known as private and voluntary organizations (PVOs), and contractors working within the host country; as well as through African governments, their ministries, and other agencies. Multilateral aid, or indirect assistance, is given first to international financial institutions (IFIs) and U.N. agencies, which in turn channel it to Africa through their own programs.

### And/Or

#### One or the other or both

**Words and Phrases 7** (3A W&P, p. 220)

C.A.1 (Mass.) 1981. Words “and/or,” for contract purposes, commonly mean the one or the other or both.—Local Division 589, Amalgameted Transit Union, AFL-CIO, CLC v. Com. Of Mass., 666 F.2d 618, certiorari denied Local Div. 589, Amalgamated Transit Union AFL-CIO v. Massachusetts, 102 S.Ct. 2928, 457 U.S. 1117, 73 L.Ed.2d 1329.—Contracts 159.

#### And/or means one or the other or both

**Pullum 8** (Geoffrey K., Professor of General Linguistics – University of Edinburgh, “[And/or: "and AND or", or "and OR or"?](http://languagelog.ldc.upenn.edu/nll/?p=35)”, Language Log, 4-14, http://languagelog.ldc.upenn.edu/nll/?p=35)

Does and/or mean "and and or", or "and or or"? That is, if I say I am interested in *A* and/or *B*, do I mean I'm interested in *A* and *B* **and** I'm interested in *A* or *B*, or do I mean that I'm interested in *A* and *B* **or** I'm interested in *A* or *B*? (You may want to say that it means I'm interested in *A* and *B* **and/or** I'm interested in *A* or *B*; but in that case I repeat my question.) Having reflected on it for a little while, I am convinced that the answer has to be that A and/or B must mean "A and B or A or B". That is, if an entity *A* is claimed to have the property of being *F and/or G*, the claim amounts to saying that either (i) *A* has the property of being both *F* and *G* or (ii) *A* has the property of being either *F* or *G*. And to claim that *F* is a property of entities *A and/or B* is to claim that either (i) *F* holds for *A* and *B* or (ii) *F* holds for *A* or *B*. However, in that case and/or is effectively identical in meaning with or, so it is at first rather hard to see why *and/or* exists at all. But I do have a guess. The right theory of what *or* means in English is that it is in general inclusive but that sometimes the exclusive special case is conveyed as a conversational implicature. *I'm going to study linguistics at either York or Edinburgh* would often be taken to have the exclusive sense: since you typically go to a single university to take a single degree, and during the degree course you have no time to study elsewhere, a decision to choose York would normally exclude choosing Edinburgh as well. The exclusive sense is thus conveyed: one or the other of York and Edinburgh will be chosen, and if it is York it will not be Edinburgh, and if it is Edinburgh it will not be York. But of course if you think about it, someone who says she is choosing between those two universities does not commit herself for life to never studying at the other. When the two alternatives exclude each other, then the exclusive meaning is the only one that makes sense. If you are asked whether you want to sit in the stalls or in the balcony, it's one or the other but not both, because you can only be in one place at one time. When they don't exclude each other, it's always understood that or allows for both: obviously someone whose ambition is to win either an Oscar or an Olympic medal wouldn't feel a failure if they won both. Winning both would satisfy the ambition in spades. So my guess would be that *and/or* is a way of underlining the point that the *or* is to be understood in its inclusive sense rather than its exclusive sense. Sometimes you want to explicitly indicate "or more than one of the above", and *and/or* does that. Take the first example of *and/or* in the *Wall Street Journal* corpus of 1987-1989 (a 44-million-word collection of random articles that linguists often use as a source for real-life examples because the Linguistic Data Consortium — the host for the giant Language Log servers — made it available in 1993 nice and cheap). The example (which actually happens to be a quotation from the *Washington Post*) is this: *Too many of his attitudes, claims and complaints are careless, conflicting, dubious, inaccurate, mean, petty, simplistic, superficial, uninformed and/or pointlessly biased.* I take it as obvious that if one hundred percent of the hapless man's attitudes, claims and complaints had all ten properties — every single one was careless and conflicting and dubious and inaccurate and mean and petty and simplistic and superficial and uninformed and pointlessly biased — then the quoted claim would be regarded as true, not false. An or would have done the job here, but the and/or injects a (logically redundant) reminder that it may well be the case that more than one of the list of ten properties applies to the miserable individual in question.

#### X or Y or both

**Wood 1** (Diane P., Circuit Judge – United States Court of Appeals, “Susan E. Hess, Plaintiff-Appellee, v. Hartford Life & Accident Insurance Company”, 12-13, http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=7th&navby=case&no=002043)

Having determined that Hess's 1996 employment contract is properly a part of the administrative record the district court was entitled to consider, we must next decide whether Hartford could reasonably have determined that Hess's benefits as of April 19, 1996, should have been based only on her 1995 draw amount. Like the district court, we cannot read the contract that way. Hess's 1996 contract clearly states that the draw system was to be phased out as of April 5. The contract also specifies that her benefits, including long-term disability benefits, would be calculated based on her "base salary and/or draw." (We note in passing that the phrase "and/or" has its critics. Bryan A. Garner reports in A Dictionary of Modern Legal Usage 56 (2d ed. 1995), that "and/or has been vilified for most of its life-- and rightly so." He goes on to say, however, that the expression, while "undeniably clumsy, does have a specific meaning (x and/or y = x or y or both)." Id.) Here, this would mean that Hess could have her benefits calculated on the basis of her base salary, or her draw, or both. In the context of Fleet's transition away from a draw system, the only reasonable interpretation of this provision was that the benefits would be based on the draw while it was in effect and on the base salary thereafter. As of April 5, Hess was thus contractually entitled to a benefits package based on her base salary--that is, based on the average of her previous two years' commissions. The fact that Fleet may have breached the contract (or been slow in implementing its details) by failing to move from the draw system to the base salary system until June 1 does not change the package of compensation and benefits to which Hess was contractually entitled. Nor could the fact that Fleet failed to inform Hartford about the date the change-over was to have occurred affect Hess's benefit amount. The Hartford policy states that "[i]f [Fleet] gives The Hartford any incorrect information, the relevant facts will be determined" to establish the correct benefit amount. Once informed by Hess's attorney that Hess believed the information Fleet provided Hartford was incorrect, it was incumbent on the examiner to refer to Hess's employment contract to determine her actual regular monthly pay. Had he done so, he would have seen that Hess became entitled to the higher level of benefits on April 5, two weeks before her disability. The district court therefore did not err when it concluded that Hartford's failure to consider the contract was arbitrary and capricious.

#### “And/or” can mean either – defer to general community practice

**Words and Phrases 7** (3A W&P, p. 224)

N.D. 1964. “And/or” as used in contract may mean either “and” or “or”, and interpretation should be one which will best effect purpose of parties as determined in light of equities of the case.—Hummel v. Kranz, 126 N.W.2d 786—Contracts 159.

#### “And/or” means or

**Words and Phrases 7** (3A W&P, p. 224)

Or. 1942. As used in the constitutional amendment and statue relating to the creation of public utility districts, the hybrid phrase “and/or” may be construed as meaning “or”.—Ollilo v. Clatskanie People’s Utility Dist., 132 P.2d 416, 170 Or. 173.

### And

#### In addition

**Ansell 00** (Mary, “Chapter 28: Conjunctions”, English Grammar: Explanations and Exercises, http://www.fortunecity.com/bally/durrus/153/gramch28.html)

Coordinate conjunctions are used to join two similar grammatical constructions; for instance, two words, two phrases or two clauses. e.g. My friend and I will attend the meeting. Austria is famous for the [beauty](http://www.fortunecity.com/bally/durrus/153/gramch28.html) of its landscape and the hospitality of its people. The sun rose and the birds began to sing. In these examples, the coordinate conjunction and is used to join the two words friend and I, the two phrases the beauty of its landscape and the hospitality of its people, and the two clauses the sun rose and the birds began to sing. The most commonly used coordinate conjunctions are and, but and or. In addition, the words nor and yet may be used as coordinate conjunctions. In the following table, each coordinate conjunction is followed by its meaning and an example of its use. Note the use of inverted word order in the clause beginning with nor. Coordinate Conjunctions and:  in addition She tried and succeeded.

#### Requires both

**Words and Phrases 7** (3A W&P, p. 166)

C.A.Fed. 2001. Inclusion of conjunctive “and” in regulation indicated that all three of the enumerated criteria had to be demonstrated.—Watson v. Department of Navy, 262 F. 3d 1292, certiorari denied 122 S.Ct. 817, 534 U.S. 1083, 151 L.Ed.2d 700.—Admin Law 412.1.

#### Not “or”

**Words and Phrases 7** (3A W&P, p. 167)

C.A.5 (Tex.) 1988. The word “and” is to be accepted for its conjunctive connotation rather than as a word interchangeable with “or” except where strict grammatical construction would frustrate clear legislative intent.—Bruce v. First Federal Sav. And Loan Ass’n of Conroe, Inc., 837 F.2d 712—Statut 197.

### Or

#### ‘Or’ can be one – does not have to be both

**Webster’s 96** (Revised Unabridged Dictionary, “Or”, http://dictionary.reference.com/browse/or)

1. One of two; the one or the other; -- properly used of two things, but sometimes of a larger number, for any one.

#### Exclusive evidence – ‘or’ means only one

**Quirk 93** (Randolph, Professor of Linguistics – University of Durham, and Sidney Greenbaum, “A University Grammar of English”, http://grammar.ccc.commnet.edu/grammar/conjunctions.htm)

OR To suggest that only one possibility can be realized, excluding one or the other: "You can study hard for this exam or you can fail." To suggest the inclusive combination of alternatives: "We can broil chicken on the grill tonight, or we can just eat leftovers. To suggest a refinement of the first clause: "Smith College is the premier all-women's college in the country, or so it seems to most Smith College alumnae." To suggest a restatement or "correction" of the first part of the sentence: "There are no rattlesnakes in this canyon, or so our guide tells us." To suggest a negative condition: "The New Hampshire state motto is the rather grim "Live free or die." To suggest a negative alternative without the use of an imperative (see use of and [above](http://grammar.ccc.commnet.edu/grammar/conjunctions.htm#above)): "They must approve his political style or they wouldn't keep electing him mayor."

#### “Or” does not mean and

**Words and Phrases 7** (3A W&P, p. 167)

Ct.Cl. 1878. The word “or” in a contract will not be construed to mean “and,” where it connects propositions reasonably in the alternative. Thus, the word in a contract which binds the contractor to supply so many pounds, more or less, as may be required for the wants of certain government stations between a certain time, cannot be construed to mean “and,” and does not entitle the constractor to furnish all the oats which may be needed at the station.—Merriam v. U.S., 14 Ct.Cl. 289, affirmed 2 S.Ct. 536, 107 U.S. 437, 17 Otto 437, 27 L.Ed. 531.

### Or – Means And

#### “Or” means and

**Words and Phrases 7** (3A W&P, p. 167)

C.A.2 (Conn.) 1958. Where words in will are placed in the disjunctive, and intent of testator is clear, word “or” is often construed as “and”.—Hight v. U.S., 256 F.2d 795.—Wills 466.

# \*\*\* TOPICALITY IMPACTS

### Framer’s Intent Good

#### Framer’s intent is the basis of predictability --- without it, it’s impossible to interpret the topic

Hutchison 8 (Cameron, Assistant Professor of Law – University of Alberta, “Which Kraft of Statutory Interpretation”, Alberta Law Review, November, 46 Alberta L. Rev. 1, Lexis)

Second, it is not possible to interpret even a single word, much less an entire text, without knowing the purpose of the statute. [123](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=bef2ae73d8968e2a7ac2c41f4058a2c3&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtb-zSkAb&_md5=78aa7022ae9dd715e1437a81c40167d8&focBudTerms=canon+and+competing+interpretation+w%2F100+text%21&focBudSel=all" \l "n123#n123" \t "_self) To take Hart's "no vehicle in the park" example, if local patriots were to wheel a truck used in World War II on a pedestal, would this qualify as a core case? This example illustrates that meaning of language in a statute cannot be divorced from an inquiry into the purpose that a rule serves. When courts are offered competing interpretations, they must choose the one that is most sensible in connection with its legislative purpose, [124](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=bef2ae73d8968e2a7ac2c41f4058a2c3&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtb-zSkAb&_md5=78aa7022ae9dd715e1437a81c40167d8&focBudTerms=canon+and+competing+interpretation+w%2F100+text%21&focBudSel=all#n124#n124) and makes the statute "a coherent [and] workable whole." [125](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=bef2ae73d8968e2a7ac2c41f4058a2c3&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtb-zSkAb&_md5=78aa7022ae9dd715e1437a81c40167d8&focBudTerms=canon+and+competing+interpretation+w%2F100+text%21&focBudSel=all#n125#n125) Moreover, the purpose of a statute is not static, but through interpretation, courts engage in a process of redefining and clarifying the ends themselves. [126](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=bef2ae73d8968e2a7ac2c41f4058a2c3&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtb-zSkAb&_md5=78aa7022ae9dd715e1437a81c40167d8&focBudTerms=canon+and+competing+interpretation+w%2F100+text%21&focBudSel=all" \l "n126#n126" \t "_self) As Fuller puts it, courts must "be sufficiently capable of putting [themselves] in the position of those who drafted the rule to know what they thought 'ought to be.' It is in the light of this 'ought' that [they] must decide what the rule 'is.'" [127](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=bef2ae73d8968e2a7ac2c41f4058a2c3&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtb-zSkAb&_md5=78aa7022ae9dd715e1437a81c40167d8&focBudTerms=canon+and+competing+interpretation+w%2F100+text%21&focBudSel=all" \l "n127#n127" \t "_self)

#### Legislative intent of the resolution outweighs limits

Clements 5 – Judge Jean Harrison Clements, Court of Appeals of Virginia, October 25, 2005, Bryan David Auer v. Commonwealth of Virginia – Court of Appeals of Virginia, <http://www.courts.state.va.us/opinions/opncavtx/0851041.txt>

Consequently, the fact that the statute does not expressly enumerate a particular item implies that the item "falls outside of the definition." Highway & City Freight Drivers, 576 F.2d at 1289; see County of Amherst Bd. of Supervisors v. Brockman, 224 Va. 391, 397, 297 S.E.2d 805, 808 (1992) (holding that the courts "may not add to a statute language" that the legislature intended not be included therein). Because the word "include" is susceptible to more than one meaning and because it is not immediately clear from the word's context which meaning is meant to apply in Code 19.2-295.1, we conclude that the statute's provision that "[p]rior convictions shall include convictions . . . under the laws of any state, the District of Columbia, the United States or its territories" is ambiguous. See Brown v. Lukhard, 229 Va. 316, 321, 330 S.E.2d 84, 87 (1985) (noting that words are ambiguous if they admit to "being understood in more than one way" or lack "clearness and definiteness"). See generally Liverpool v. Baltimore Diamond Exch., Inc., 799 A.2d 1264, 1274 (Md. Ct. Spec. App. 2002) (recognizing that "the term 'includes,' by itself, is not free from ambiguity" because it "has various shades of meaning," ranging from enlargement and expansion to limitation and restriction); Frame v. Nehls, 550 N.W.2d 739, 742 (Mich. 1996) ("When used in the text of a statute, the word 'includes' can be used as a term of enlargement or of limitation, and the word in and of itself is not determinative of how it is intended to be used."). "Therefore, we are called upon to construe this statutory language in a manner that will ascertain and give effect to the General Assembly's intent." Herndon v. St. Mary's Hosp., Inc., 266 Va. 472, 475, 587 S.E.2d 567, 569 (2003). In seeking to resolve the ambiguity in the statutory language and discern the legislature's intent, we apply established principles of statutory interpretation. See Va. Dep't of Labor & Industry v. Westmoreland Coal Co., 233 Va. 97, 101-02, 353 S.E.2d 758, 762 (1987). Consistent with such principles, we interpret the statute so as "to promote the end for which it was enacted, if such an interpretation can reasonably be made from the language used." Mayhew v. Commonwealth, 20 Va. App. 484, 489, 458 S.E.2d 305, 307 (1995). Thus, the "statute must be construed with reference to its subject matter, the object sought to be attained, and the legislative purpose in enacting it; the provisions should receive a construction that will render it harmonious with that purpose rather than one which will defeat it." Esteban v. Commonwealth, 266 Va. 605, 609, 587 S.E.2d 523, 526 (2003). Furthermore, although "[i]t is a cardinal principle of law that penal statutes are to be construed strictly against the [Commonwealth]" and "cannot be extended by implication, or be made to include cases which are not within the letter and spirit of the statute," Wade v. Commonwealth, 202 Va. 117, 122, 116 S.E.2d 99, 103 (1960), "we will not apply 'an unreasonably restrictive interpretation of the statute' that would subvert the legislative intent expressed therein," Armstrong v. Commonwealth, 263 Va. 573, 581, 562 S.E.2d 139, 144 (2002) (quoting Ansell v. Commonwealth, 219 Va. 759, 761, 250 S.E.2d 760, 761 (1979)).

### Framer’s Intent Bad

#### Framer’s intent is arbitrary and should be considered secondary to the best interpretation

**Weaver 7** (Aaron, Ph.D. Candidate in Politics and Society – Baylor University, “An Introduction to Original Intent”, Fall, <http://www.thebigdaddyweave.com/BDWFiles/originalism.pdf>)

Discovering the “original intent” behind the religion clauses of the First Amendment is much more difficult than Edwin Meese, Antonin Scalia or any other 21 Ibid, originalist wants to admit. Contrary to the revisionist history being pushed by originalists who desire extensive government accommodation of religion, the founders did not always agree with one another. We simply can not determine with sufficient accuracy the collective intent of the Founding Fathers and the Framers of the Free Exercise Clause and the Establishment Clause of the First Amendment. Those scholars in search of “original intent” have returned with strikingly inconsistent accounts of original intent. Thus, the originalism of Scalia, Meese, and Rehnquist is ambiguous at best and downright dishonest at worst. We do not know nor can we be expected to accurately determine the intent or understanding of what the First Amendment meant to each person who cast their vote. After all, delegates to the Constitutional Convention were voting on the text of the First Amendment, not Madison’s writings or the private correspondence of the Framers. The text of the First Amendment reigns supreme. Authorial intent must take a backseat to the actual text. Justices should examine the text first and scour it for as much meaning as it will generate before turning to extrinsic evidence of intent. However, original intent is hardly irrelevant but simply subordinate to the text. Extrinsic evidence does not control the text. The text controls the text.

#### No impact to “intent”. The framer’s knowledge was far more limited than the community’s after months of research. Their standard is outdated and prevents informed and progressive understanding.

Moore 85 (Michael, Professor of Law – University of Southern California Law Center, “Interpretation Symposium: Philosophy of Language and Legal Interpretation: Article: A Natural Law Theory of Interpretation”, University of Southern California, 58 S. Cal. L. Rev. 279, January, Lexis)

My conclusion is that the text has a better claim to being called the "choice of the legislature" than do any legislative materials. The political ideals of democracy and of institutional competence are thus better served by a court working from the text alone and not from some "second text" unofficially adopted by some supposed, silent consensus of legislators. That being so, and liberty and fairness also being better served by looking to the other ingredients in the theory of interpretation, I conclude that legislative intent has no role to play in interpretation. This conclusion has been defended solely by using the rule of law virtues as our normative guidelines. This conclusion is supported by the other set of considerations relevant here, namely, the kinds of effects an intent-oriented theory of interpretation produces. Such a theory produces worse effects than its competitors because it imposes old ideals upon us. In constitutional law this consideration is so compelling that it swamps all the others in importance. Better that we fill out the grand clauses of the Constitution by our notions of meaning (evolving, as we have seen, in light of our developing theories about the world), by our notions of morals, and by two hundred years of precedent. What the founders intended by their language should be of relevance to us only as a heuristic device to enable us to think more clearly about our own ideals. The dead hand of the past ought not to govern, for example, our treatment of the liberty of free speech, and any theory of interpretation that demands that it does is a bad theory. This argument applies to statutory interpretation as well, although with somewhat diminished force. For guiding one's statutory interpretations by legislative materials will be to judge by ideals as old as those [\*358] materials. In the Keeler case, for example, a 1970 decision was predicated on an 1850 statute, recodified in 1872. Using nineteenth-century ideas of personhood to decide whether a fetus is a person is not a good idea in the twentieth century. We have thought more about the problem, and we know more factually and morally than those who drafted the commission report concluding that fetuses were not human beings. And even if we do not know more than they, we are as entitled to live under our ideals of personhood as we are to live under our ideals of free speech. For old statutes, thus, the consequentialist arguments against looking to framers' intent are as strong as they are for the Constitution. The meanings of words, the direction of precedent, and the nature of goodness are all items about which we can have developing theories. Our admittedly imperfect knowledge of each of these things can get better. A theory of interpretation built out of these materials thus can accommodate change and development in our law by court interpretation. A theory emphasizing the enacting body's intention, on the other hand, is glued to the past. Change can only come by constitutional or legislative amendment. Even apart from the rule of law virtues, an intentionalist theory should be disfavored on this ground alone.

### Grammar

#### Grammar outweighs --- it determines meaning, making it a pre-requisite to predictable ground and limits – and, without it, debate is impossible

Allen 93 (Robert, Editor and Director – The Chambers Dictionary, Does Grammar Matter?)

Grammar matters, then, because it is the accepted way of using language, whatever one’s exact interpretation of the term. Incorrect grammar hampers communication, which is the whole purpose of language. The grammar of standard English matters because it is a codification of the way using English that most people will find acceptable.

### Limits – Rowland

#### Limits outweigh – they’re the vital access point for any theory impact --- it’s key to fairness --- huge research burdens mean we can’t prepare to compete – and its key to education --- big topics cause hyper-generics, lack of clash, and shallow debate --- and it destroys participation

Rowland 84 (Robert C., Debate Coach – Baylor University, “Topic Selection in Debate”, American Forensics in Perspective, Ed. Parson, p. 53-54)

The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing in scope and size.4 This decline in policy debate is tied, many in the work group believe, to excessively broad topics. The most obvious characteristic of some recent policy debate topics is extreme breath. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. Naitonal debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change.5 The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the breadth of the topics has all but destroyed novice debate. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process.6 Despite this advantage of policy debate, Gaske belives that NDT debate is not the best vehicle for teaching beginners. The problem is that broad policy topics terrify novice debaters, especially those who lack high school debate experience. They are unable to cope with the breadth of the topic and experience “negophobia,”7 the fear of debating negative. As a consequence, the educational advantages associated with teaching novices through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caugh without evidence or substantive awareness of the issues that confront them at a tournament.”8 The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters or eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that broad topics also discourage experienced debaters from continued participation in policy debate. Here, the claim is that it takes so much times and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity.9 Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.”10 The final effect may be that entire programs either cease functioning or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.”11 In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

### Precision

#### Precision is vital to meaningful debates about “engagement”

Resnick 1 – Dr. Evan Resnick, Ph.D. in Political Science from Columbia University, Assistant Professor of Political Science at Yeshiva University, “Defining Engagement”, Journal of International Affairs, Spring, 54(2), Ebsco

CONCLUSION

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

#### Legal precision outweighs limits and ground --- it’s a prerequisite to effective policy education

Shannon 2 – Bradley Shannon, law at University of Idaho, January 2002 (Washington Law Review, 77 Wash. L. Rev. 65, Lexis

The first answer to this question is, why should we not care? If proper terminology (of whatever type) is readily available and comprehendible, why should one not want to use it? Does one really need a reason for not misusing any word, technical or otherwise? In other words, though many misuses of Rules terminology might not seem to cause serious problems, surely that is not an argument in favor of a disregard of proper Rules terminology, particularly where the cost of using proper terminology is negligible. 79

The second answer to the question why we should care about the use of proper Rules terminology goes to the cost of using improper terminology even in seemingly trivial contexts. Understanding legal concepts is difficult enough without the confusion created when an inappropriate term is used to represent those concepts. And this is true regardless of how minor the misuse. In some sense, every misuse of legal language impedes the understanding - and, consequently, the progress - of the law.

### A2: Aff Flexibility

#### Strict limits *enable* creativity. Beauty emerges from identifying constraints and working within them.

Flood 10 (Scott, BS in Communication and Theatre Arts – St. Joseph’s College, School Board Member – Plainfield Community School Corporation, and Advertising Agent, “Business Innovation – Real Creativity Happens Inside the Box”, http://ezinearticles.com/?Business-Innovation---Real-Creativity-Happens-Inside-the-Box&id=4793692)

It seems that we can accomplish anything if we're brave enough to step out of that bad, bad box, and thinking "creatively" has come to be synonymous with ignoring rules and constraints or pretending they just don't exist. Nonsense. Real creativity is put to the test within the box. In fact, that's where it really shines. It might surprise you, but it's actually easier to think outside the box than within its confines. How can that be? It's simple. When you're working outside the box, you don't face rules, or boundaries, or assumptions. You create your own as you go along. If you want to throw convention aside, you can do it. If you want to throw proven practices out the window, have at it. You have the freedom to create your own world. Now, I'm not saying there's anything wrong with thinking outside the box. At times, it's absolutely essential - such as when you're facing the biggest oil spill in history in an environment in which all the known approaches are failing. But most of us don't have the luxury of being able to operate outside the box. We've been shoved into reality, facing a variety of limitations, from budgets, to supervisors' opinions and prejudices, to the nature of the marketplace. Even though the box may have been given a bad name, it's where most of us have to spend our time. And no matter how much we may fret about those limits, inside that box is where we need to prove ourselves. If you'll pardon the inevitable sports analogy, consider a baseball player who belts ball after ball over 450 feet. Unfortunately, he has a wee problem: he can't place those hits between the foul lines, so they're harmful strikes instead of game-winning home runs. To the out-of-the-box advocates, he's a mighty slugger who deserves admiration, but to his teammates and the fans, he's a loser who just can't get on base. He may not like the fact that he has to limit his hits to between the foul poles, but that's one of the realities of the game he chose to play. The same is true of ideas and approaches. The most dazzling and impressive tactic is essentially useless if it doesn't offer a practical, realistic way to address the need or application. Like the baseball player, we may not like the realities, but we have to operate within their limits. Often, I've seen people blame the box for their inability or unwillingness to create something workable. For example, back in my ad agency days, I remember fellow writers and designers complaining about the limitations of projects. If it was a half-page ad, they didn't feel they could truly be creative unless the space was expanded to a full page. If they were given a full page, they demanded a spread. Handed a spread, they'd fret because it wasn't a TV commercial. If the project became a TV commercial with a $25,000 budget, they'd grouse about not having a $50,000 budget. Yet the greatest artists of all time didn't complain about what they didn't have; they worked their magic using what they did. Monet captured the grace and beauty of France astonishingly well within the bounds of a canvas. Donatello exposed the breathtaking emotion that lurked within ordinary chunks of marble. And I doubt that Beethoven ever whined because there were only 88 keys on the piano. Similarly, I've watched the best of my peers do amazing things in less-than-favorable circumstances. There were brilliant commercials developed with minimal budgets and hand-held cameras. Black-and-white ads that outperformed their colorful competitors. Simple postcards that grabbed the attention of (and business from) jaded consumers. You see, real creativity isn't hampered or blocked by limits. It actually flowers in response to challenges. Even though it may be forced to remain inside the box, it leverages everything it can find in that box and makes the most of every bit of it. Real creativity is driven by a need to create. When Monet approached a blank canvas, it's safe to say that he didn't agonize over its size. He wanted to capture something he'd seen and share how it looked through his eyes. The size of the canvas was incidental to his talent and desire. Think about the Apollo 13 mission. NASA didn't have the luxury of flying supplies or extra tools to the crew. They couldn't rewrite the laws of physics. Plus, they faced a rapidly shrinking timeline, so their box kept getting smaller and less forgiving. And yet they arrived upon a solution that was creative; more important, that was successful. The next time someone tells you that the real solution involves stepping outside the box, challenge him or her to think and work harder. After all, the best solution may very well be lurking in a corner of that familiar box.

### A2: Breadth Good

#### Depth is more educational than breadth --- studies prove

WP 9 (Washington Post, “Will Depth Replace Breadth in Schools?” http://voices.washingtonpost.com/class-struggle/2009/02/will\_depth\_replace\_breadth\_in.html)

The truth, of course, is that students need both. Teachers try to mix the two in ways that make sense to them and their students. But a surprising study — certain to be a hot topic in teacher lounges and education schools — is providing new data that suggest educators should spend much more time on a few issues and let some topics slide. Based on a sample of 8,310 undergraduates, the national study says that students who spend at least a month on just one topic in a high school science course get better grades in a freshman college course in that subject than students whose high school courses were more balanced. The study, appearing in the July issue of the journal Science Education, is “Depth Versus Breadth: How Content Coverage in High School Science Courses Relates to Later Success in College Science Coursework.” The authors are Marc S. Schwartz of the University of Texas at Arlington, Philip M. Sadler and Gerhard Sonnert of the Harvard-Smithsonian Center for Astrophysics and Robert H. Tai of the University of Virginia. This is more rich ore from a goldmine of a survey Sadler and Tai helped organize called “Factors Influencing College Science Success.” It involved 18,000 undergraduates, plus their professors, in 67 colleges in 31 states. The study weighs in on one side of a contentious issue that will be getting national attention this September when the College Board’s Advanced Placement program unveils its major overhaul of its college-level science exams for high school students. AP is following a direction taken by its smaller counterpart, the International Baccalaureate program. IB teachers already are allowed to focus on topics of their choice. Their students can deal with just a few topics on exams, because they have a wide choice of questions. AP’s exact approach is not clear yet, but College Board officials said they too will embrace depth. They have been getting much praise for this from the National Science Foundation, which funded the new study. Sadler and Tai have previously hinted at where this was going. In 2001 they reported that students who did not use a textbook in high school physics—an indication that their teachers disdained hitting every topic — achieved higher college grades than those who used a textbook. Some educators, pundits, parents and students will object, I suspect, to sidelining their favorite subjects and spending more time on what they consider trivial or dangerous topics. Some will fret over the possibility that teachers might abandon breadth altogether and wallow in their specialties. Even non-science courses could be affected. Imagine a U.S. history course that is nothing but lives of generals, or a required English course that assigns only Jane Austen. “Depth Versus Breadth” analyzes undergraduate answers to detailed questions about their high school study of physics, chemistry and biology, and the grades they received in freshman college science courses. The college grades of students who had studied at least one topic for at least a month in a high school science course were compared to those of students who did not experience such depth. The study acknowledges that the pro-breadth forces have been in retreat. Several national commissions have called for more depth in science teaching and other subjects. A 2005 study of 46 countries found that those whose schools had the best science test scores covered far fewer topics than U.S. schools.

#### Especially for high school students

**SD 9** (Science Daily, “Students Benefit From Depth, Rather Than Breadth, In High School Science Courses”, http://www.sciencedaily.com/releases/2009/03/090305131814.htm)

A recent study reports that high school students who study fewer science topics, but study them in greater depth, have an advantage in college science classes over their peers who study more topics and spend less time on each. Robert Tai, associate professor at the University of Virginia's Curry School of Education, worked with Marc S. Schwartz of the University of Texas at Arlington and Philip M. Sadler and Gerhard Sonnert of the Harvard-Smithsonian Center for Astrophysics to conduct the study and produce the report. The study relates the amount of content covered on a particular topic in high school classes with students' performance in college-level science classes. "As a former high school teacher, I always worried about whether it was better to teach less in greater depth or more with no real depth. This study offers evidence that teaching fewer topics in greater depth is a better way to prepare students for success in college science," Tai said. "These results are based on the performance of thousands of college science students from across the United States." The 8,310 students in the study were enrolled in introductory biology, chemistry or physics in randomly selected four-year colleges and universities. Those who spent one month or more studying one major topic in-depth in high school earned higher grades in college science than their peers who studied more topics in the same period of time. The study revealed that students in courses that focused on mastering a particular topic were impacted twice as much as those in courses that touched on every major topic. The study explored differences between science disciplines, teacher decisions about classroom activities, and out-of-class projects and homework. The researchers carefully controlled for differences in student backgrounds. The study also points out that standardized testing, which seeks to measure overall knowledge in an entire discipline, may not capture a student's high level of mastery in a few key science topics. Teachers who "teach to the test" may not be optimizing their students' chance of success in college science courses, Tai noted. "President Obama has challenged the nation to become the most educated in the world by having the largest proportion of college graduates among its citizens in the coming decade," Tai said. "To meet this challenge, it is imperative that we use the research to inform our educational practice." The study was part of the Factors Influencing College Science Success study, funded by the National Science Foundation.